INDIGENOUS PEOPLES' IDENTITY, CUSTOMARY LAWS AND CAPITALIST TRANSFORMATION: A CASE STUDY OF THE RABHAS AND THE TIWAS OF ASSAM

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DECLARATION

I declare that the thesis entitled **"Indigenous Peoples' Identity, Customary Laws and Capitalist Transformation: A Case Study of the Rabhas and the Tiwas of Assam"** submitted by me for the award of the degree of **Doctor of Philosophy** of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this University or any other university.

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CERTIFICATE

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CONTENTS

CHAPTER 1

INTRODUCTION

Kalgharor kola dhuwai
Edin akaxot bijuli jolabo,
Rastar kaxor eijak lorai
Jibonor baate baate phool phulabo,
Byodhigrasta ei nagare edin
Akaxoloi mur tuli sabo: Akax iman bohol !
Do-koi uxah loi kobo: Botah iman komal !![1]

(*Nagorik*, Hiren Bhattacharya)

This chapter is a prelude to the arguments that this study attempts to make. The first section briefly outlines the theoretical framework in which this study understands capitalist transformations. The ideas in this section are explored at length in Chapter 2. Then follows a background to the north-east of India and Assam in particular. The next section studies the category of the "indigenous" and its changing contours are tracked. Then follow brief explanations of the categories and definitions that are central to the study, and the next section is a synoptic review of literature. We conclude this chapter with the research questions that drive the study and methodology followed.

Reconceptualising Capitalist Transformation and Colonialism

Popular amongst the people of Assam as Hiru *Da*, Hiren Bhattacharya, one of the most beloved poets of modern Assamese literature, wrote this poem named *Nagorik* (citizen) which is a celebration of a world that would overcome capitalism's intrusions, here embodied in the industry. These lines from his poem simultaneously portray a dream for a better world and a nostalgia for a world now lost. The newly independent post-colonial societies have lurked for long in the shadows of the days of colonial rule. More than anything else, these shadows are reflected in the ideas, thought and aspirations of the new states. These are ideas ridden with binaries and dichotomies of

[1] The black smoke of factories/ Will someday turn into lightning,/ These roadside boys will someday/ Grow flowers along the path of life,/ This sick city will someday look up to the sky/ And say, How wide is the sky!/ How soft the air!

modern/traditional, developed/backward, progressive/regressive, and so on. In their discursive role, the ideas led to a discourse in which the 'western' society, epitomised by industrialisation, development, modernity, became the desirable 'self'; and everything that the West was not, the diversities clubbed together by not being the West, became the undesirable 'other'. Such binarised discourses are direct remnants of the colonial experience and what West terms as modernity. "By 'Western' we mean a society that is developed, secular, and modern" (Hall 1992: 277). Hall writes that such a discourse mitigates important cultural distinctions and creates binaries of self and other by defining each in terms of the other. "In short, the discourse, as a 'system of representation', *represents* the world a divided according to a single dichotomy — the West/the Rest. That is what makes the discourse of 'the West and the Rest' so destructive — it draws crude and simplistic distinctions and constructs over-simplified conception of 'difference'" (ibid: 280).

Hiru *Da's* poem, however, talks of a future world which is beyond, and different from, the imaginary of the industry embodying development and associated commodified labour. These lines are, therefore, both a dream and a nostalgia. A world of binaries and dichotomies, where the 'western', the 'industrialised', the 'capitalist' is regarded as modern, and developed, and desirable, becomes a false construct in his poetic expressions. What 'was', what has traditionally been — the association with nature, the relation with the sky and the air — is, then, not the backward, pre-modern other. The dream is of a modernity and development where the industrialisation and associated social discriminations and environmental pollution would not be an inevitable part. Every prospect of a better world is culturally contextual. The idea of West's supremacy gets deconstructed in the process.

The West produced this 'other', or what Said calls the 'Orient', "politically, sociologically, militarily, ideologically, scientifically and imaginatively during the post-Enlightenment period. So authoritative a position did Orientalism have that I believe no one writing, thinking, or acting on the Orient could do so without taking account of the limitations on thought and action imposed by Orientalism" (Said 1983: 3). It continually produced and reproduced the dominant-dependent discourse. Important differences within these cultures that contained varied socio-economic practices, different knowledge-systems, languages, meanings, values, customs, memories etc got substantially subdued or even erased in some cases. Myriads of indigenous practices and ideas were clubbed into one category, and hidden in the taxonomy of the colonial administration. Pedagogy of Western modernity created an imagined alterity between the West and the colonised, or the indigenous, and bound them in a hierarchical and dichotomised binary.

Western scholarship has been treating the indigenous peoples as the 'other' in its discourse. It has built itself up on the basis of the idea of the individual rational self. The whole structure of its rights and powers revolve around that singular idea. Thereby, the communal and group identities and rights get quite understandably sidelined. Hall (1992) writes that the Europeans were struck by the differences in the societies of the 'New World' with theirs when their explorations led them to newer lands. They interpreted these differences as 'absence of government and civil society'. Complex and centralised social organisations of civilisations like the Mayans, Aztecs, Incas were only interpreted in European terms. "These were functioning societies. What they were *not* was 'European'. What disturbed Western expectations, what had to be negotiated and explained, was their *difference*…They persisted in describing them *all* as 'Indians', lumping all distinctions together and suppressing differences in one, inaccurate stereotype" (Hall 1992: 304). The customary practices, laws and norms of the indigenous communities were overlooked and misinterpreted as absence of organisation. "Europeans assumed that, since the natives did not have such an economic system (like their system of money trade and commerce), they therefore had no system at all and offered gifts as friendly and suppliant gesture to visitors whose natural superiority they instantly recognised" (ibid: 305).

However, indigenous identities and rights have lately begun to feature in Western academia thereby making a way between the communal existence and the rational individual self. Issues related to indigeneity and the necessity of recognising indigenous peoples' claims to their lands and resources have begun to be taken seriously within scholarship. Kymlicka takes such a position, though not without critique, and argues that 'indigenous people are owed self-government and title to their lands because without such rights (in addition to traditional liberal rights of freedom of movement, association and expression) they are in danger of losing access to a secure societal culture and hence, to the context in which individual freedom is rendered meaningful' (cited in Ivison 2000: 7). In the process, the Western notion of knowing and understanding the other societies has also come to be questioned. The Enlightenment-inspired social understanding that identified the one single path for development and civilisation, and placed different societies on a scale of progress from highest (West) to lowest (American savage), came to be discredited. "As the human, cultural and ecological consequences of this form of 'western development' become more obvious, the question of whether there is only one path to modernity is being debated with increasing urgency. The historically inevitable and necessarily progressive character of the West's expansion into the Rest is no longer as obvious as perhaps it once seemed to Western scholars" (Hall 1992: 317).

In being the 'other' of theory, indigenous ways of living, their practices, and social existence have been discounted by the Western scholarship as pre-modern and 'inherently inferior'. As a logical subsequent development, attempts have been made all over the world to 'understand' and make comprehensible these diverse ways of living by opening them up to established discourses and the academia. One way of doing this is the process of codification of the customary laws and practices of the indigenous peoples, thereby ascertaining their land rights in terms of individual ownership. Such an exercise is supposed to bring these 'pre-modern' modes of existence into modern modes of recognition and social existence and hence integrate them within the larger system of justice and protection by law. However, this supposedly modern and progressive exercise has its own political and economic agenda which might cause, in time, more harm than good.

Capitalism as a socio-economic system, a product of the West, has been regarded for long as a unified, universal and singularly progressive force. For liberals, capitalism ensures the best possible human societies. For Marxists, though exploitative and oppressive, capitalism is not only an inevitable, but a necessary stage in historical progression to overcome the feudal and pre-capitalist modes of production. Marx's interpretation of society and social progress becomes as much unilinear and based on dichotomous binaries (of classes, modes of production, dialectical progression) as other Enlightenment-inspired western scholarship. The conditions for social development were found by Marx to be absent in the Asiatic modes of production. These conditions could only rise from a capitalist system. "Marx hated the capitalist system; nevertheless, he saw it, in contrast with the Asiatic mode, as progressive and dynamic, sweeping old structures aside, driving social development forward" (Hall 1992: 314). The colonial expansion into the lands outside Europe, then, as a stage towards a more egalitarian socialistic world, become acceptable. "Many classical Marxists have indeed argued that, however stunting and destructive it may have been, the expansion of western capitalism through conquest and colonisation was historically inevitable and would have long-term progressive outcomes for 'the Rest' (ibid: 316).

Colonial intrusion into the otherwise autonomous and diverse worlds of the indigenous led to much disruption. These peoples, by virtue of their being different, got automatically 'othered' in western scholarship. One way of learning about this other/Orient/Rest was 'discovering' their histories in line with Enlightenment knowledge. Knowing and reforming went as twin sisters of colonial policies everywhere. "Early Orientalist attempts to reform India in accordance with what was perceived as her 'traditional' knowledge and institutions resulted in reinvention of Indian legal traditions according to the British-European notion of an ancient civilisation's cultural

merits" (Mann 2004: 9). Such 'reinvention' also meant translating indigenous socio-economic customs and practices into capitalist monetarised exchanges and tenured land relations. Communal ownership was replaced by individual private property. Feudal relations were attempted to be transformed into free capitalist ones even in societies where feudalism, and class antagonism associated with it, had not even emerged in any profound manner (Guha 1991). The partial penetrations had further detrimental effects on these societies.

Melotti (1977) writes that Marx himself, in his later years, was forced to rethink the disastrous results that colonialism brought to the colonies. "Thus, for instance, in 1881, contradicting his previously stated attitude on the subject, he did not hesitate to call the abolition of common ownership of land in India 'an English act of pure vandalism which has caused the people of the area to go back, not forward" (Melotti 1977: 115).

The following excerpts from Luxembourg's 'Accumulation of Capital' (1972) present the idea very well:

> There must develop right from the start an exchange relationship between capitalist production and the non-capitalist milieu, where capital not only finds the possibility of realising surplus value in hard cash for further capitalisation, but also receives various commodities to extend production, and finally wins new proletarianised labour forces by disintegrating the non-capitalist forms of production… Here capital uses 'heroic means', the axe of political violence. Its first act in Europe is the revolutionary conquest of the feudal barter economy. Overseas, it begins with the subjugation and destruction of traditional communities, the world historical act of the birth of capital, since then the constant epiphenomenon of accumulation… The discovery of America and sea route to India were not just Promethean achievements of the human mind and civilisation, but also, and inseparably, a series of mass murders of primitive peoples in the New World and large-scale slave trading with the peoples of Africa and Asia" (Luxembourg 1972: 58-59, 147).

The North-East of India and Assam

It is in this context that we must understand the north-eastern region of India and the socio-economic developments therein. North-East India presents a good instance of indigenous peoples and their confrontation and coexistence with the state. A region of complex ethnic identity contestation and strife, it demands a serious historical, philosophical and political engagement. T. B. Subba calls this region a distinct one "because it has an extremely long international border, surrounded as it is, almost from all directions, by foreign countries and bounded together internally by the state of Assam" (Subba 2012: xvi). It is home to more than 200 tribal groups. These groups arriving at different times assumed different names. "The present society of the North-East region of India is constituted by broadly two major ethnic groups, viz. Mongoloids and Indo-Aryans, with

a smaller Austric group represented by the Khasis and Jaintias" (Dikshit and Dikshit 1995: 264). These indigenous peoples, largely autonomous during most part of history, came into the influence of the mainland India only much later in the British colonial rule. Capitalist and homogenising expansion has never ceased from then on. The voices and struggles of the indigenous peoples of the region need therefore to be brought into academic discourses in order to complicate and perhaps even subvert the latter.

Assam is an integral part of the north-east Indian region and in itself is a land of many tribal and indigenous non-tribal peoples. It stands apart from the rest of the region with only a minor Mongoloid tribal population and a prominent Indo-Aryan ethnic element. The Assam valley is a model of ethnic hybridisation of various groups descending in the valley at different periods of history. Religious affiliations do not present a clear picture of either ethnicity or indigeneity. “Many of the early Mongoloid groups, initially perhaps without an established religion, were converted to Hinduism, particularly after the fifteenth century, and many others embraced Christianity during the last 150 years. Some other groups adopted Buddhism in close proximity to Tibet” (Dikshit and Dikshit 1995: 264). Post-Independent India has brought much changes to this otherwise undisturbed area. It faces a demographic crisis that has led to many insurgent activities at different points of time. Insurgency might be temporarily controlled and state laws permanently stay, but these issues need deep, long-lasting, pro-ethnic solutions.

Assam provides a good case for study of indigenous identity and land rights issues. What is now Assam, in the ancient and medieval period had remained almost an isolated area predominantly inhabited by various ethnic tribes enjoying relative political independence from each other. The small tribal kingdoms had their own territorial limits but their boundaries kept changing depending on their might and influence. Indigenous peoples living in the segregated tracts, both plains and hills, maintained their distinct religious practices and cultural exclusiveness. Even the Ahom rule, which united through subjugation the major part of the medieval Assam and which lasted for long six hundred years from the thirteenth century to the advent of the British in the nineteenth century, and the great Vaishnavite religious movement of Sankardev-Madhavdev in the fifteenth-sixteenth centuries did not or could not fundamentally disturb the cultures of the various tribal groups. B.N. Puri, in his Banikanta Kakati Memorial Lecture of 1967 in the Gauhati University said, “Assam is presumed to be museum of races, consequent to its location on one of the great migration routes of mankind” (Puri 1967: 33).

Medieval Assam also had a good number of Aryan populations, including the Brahmin pandits practicing Hinduism and pertaining Sanskrit education. But it was a small group in comparison to the vast tribal Mongoloid population all around. Moreover, the Aryans, barring only the Bhuyans, did not have any Hindu kingdom of their own. It was the imperialist British who attached Assam, till then independent and almost segregated, to their Indian empire and united the entire North East, both politically and administratively. After the British entered Assam, large groups of people from outside belonging to various trades and professions migrated to Assam and settled there. The British administration took up permanent settlement of land in the plains of Assam, while they left out the hills from the reform process. They administered the hill areas as segregated tracts without disturbing the traditional village administration of the hill people.

But despite the administration's efforts at permanent settlement, most of the land inhabited by the tribal people and in the remote areas remained unsettled and open for easy encroachment, and the people from outside took possession of those lands as much as they could. At the time of independence, it was observed by the Bordoloi Sub-Committee of the Constituent Assembly that, unless the land of the backward tribal people were protected, there were all possibilities of the people from more populated areas taking over the land which traditionally belonged to the indigenous tribal people. The constitution, by creating the sixth schedule, reserved the hills for the hill tribes, while the land in the plains, put under general administration, were not protected by any such safeguards. Under these circumstances, the Assam Provincial Government led by Gopinath Bordoloi constituted, after independence, a number of tribal belts and blocks all over the state, thereby barring the non-tribal people from acquiring land in these areas. But after Bordoloi, the legal provision was not strictly followed, as a result of which encroachment of such lands took place and continued unabated. Of course, in most of the districts, most of the settlers in the tribal and government lands are still deprived of legal rights over their possessions. Below is a discussion on indigeneity and indigenous communities to help us understand the category better in the context of larger socio-economic transitions.

Exploring the Category of the "Indigenous"

Indigeneity is a complex phenomenon or category. It has been described, defined and explained in many ways, underscoring the diversity, contestability and non-fixity of the term indigenous. The UN has become the central stage for debates regarding indigeneity, especially since the closing

decades of the twentieth century. In a general sense, indigeneity is associated with the idea of belongingness or situatedness in a certain place implying original (or prior) inhabitance, and connotes subsequent displacement, dispossession and marginalisation. “It (indigeneity) connotes belonging and originariness and deeply felt processes of attachment and identification, and thus it distinguishes “natives” from others. Indigeneity as it has expanded in its meaning to define an international category is taken to refer to peoples who have great moral claims on nation-states and on international society, often because of inhumane, unequal, and exclusionary treatment” (Merlan 2009: 304). Merlin identifies two dominant discourses that have emerged in defining the concept of indigeneity: criterial and relational. Criterial definitions describe indigeneity on the basis of a group’s own characteristic experiences and identities. Though it may have relational aspects like being prior to etc, its main thrust lies upon a peoples’ internal attributes. The definitions adopted by the United Nations (UN), best reflected in Martinez Cobo’s reports, and those emphasised by the International Labour Organisation (ILO), fall into this category (UN conventions and developments will be dealt with in more detail in the following section). The relational aspect of indigeneity, on the other hand, highlights indigeneity as a form of identity that gets formulated and shaped as a result of a group’s associations and engagements with others. Merlin (2009) writes that this can be found to be exemplified by David Maybury-Lewis's (1997) statement that “indigenous peoples are defined as much by their relations with the state as by any intrinsic characteristics that they may possess” (Merlan 2009: 305). Dyck (1985), De la cadenza and Starn (2007) argue in the same vein.

Karlsson and Subba (2006) argue that indigeneity can be understood on three primary grounds. The first is in the sense of being ‘original inhabitants’. European colonialism as well as waves of migration have tended to pose serious threat, on certain occasions, to the people who have been natives to a particular place. Here again, it must be stated that, given the experiences of colonial domination of the larger part of the world’s population and in the wake of the evolving scholarship and the formative discourses at the UN, the idea of being ‘original inhabitants’ has also come to be understood as ‘prior inhabitants’, meaning, prior to any colonial occupation. Stavenhagen and Gray are leading proponents of this perspective.

A second understanding of indigeneity is based on structural aspects. Largely inspired by the discussions at the ILO and the UN and the studies and reports compiled by Cobo, it stresses on the ‘non-dominant’ nature of the indigenous communities. “Indigenous people are non-dominant people with a culture different from that of the majority” (Karlsson and Subba 2006: 6).

Apart from these two perspectives, a third one looks at indigeneity from the angle of self-identification. Burger (1990) stresses that, as very strongly put forward by indigenous peoples themselves, it is the indigenous communities who should have the right and authority to define indigeneity and to decide who should be considered indigenous. To take away the agency of the indigenous peoples to define, organise and voice their concerns is to rob them off of those very rights and dignity for which the indigeneity movement had originated. "To say, as some critics do, that the indigenous issue has grown merely out of patronage and promotion by the international agencies like the International Labour Organisation, world Bank, and the United Nations is to ignore the history of the indigenous peoples' struggle all over the world" (Karlsson and Subba 2006: 7). Indigeneity is a contentious issue. Given the wide variations in the histories, experiences, nature and associations of indigenous communities, it is only understandable, to some extent healthy, for such an idea to be treated as open-ended and conceptually constitutive.

Indigeneity has been approached differently by different states. Whereas some states have openly welcomed the indigeneity category, others like India have questioned the applicability of the concept in its context. Scholars like B. K. Roy Burman, Sumit Guha, Andre Bateille have been sceptical about the applicability and adaptability of the concept in India. Karlsson (2006) writes that their whole dismissal of the term rests on the idea that the discourses on the indigenous peoples have been imposed on India by the West. Others like Virginius Xaxa, Damodaran, Subba, Karlsson have been more positive in tis regard. One of the central loci in the indigeneity debate in India has been associated with the concept of self-determination. The fragile political condition in which India gained its independence, and the massive ethnic, lingual, religious, cultural diversities that have been weighing heavily on its 'nation-building' agenda ever since, have made the debates of self-determination uncomfortable and unsolicited. That indigeneity is closely associated with self-determination has made it even more unappealing and ill-favoured.

Beteille (2006) states that the generally used term or category in India for the indigenous peoples is 'tribe'. Whereas the latter underscores the distinctiveness, isolatedness or backwardness of a community, the former focuses on 'rights and empowerment'. He argues that India makes a complicated case for indigeneity and requires detailed social and historical study. The differences among different indigenous groups across the world are too large to forego serious historical details. But the traditional association of these communities, he writes, with land and forests, and their gradual alienation, however, mark their striking commonality.

> "The idea of indigenous people is tied inextricably to ideas relating to land, soil and territory. The force of those ideas cannot be appreciated without taking into account of conquest, spoliation and usurpation. The claims of the weak have been violated repeatedly by the strong, dramatically in some cases and insidiously in others. But a distinctions to be made the claims of land of an individual or a family and the claims to soil and territory of a whole community or an aggregate of communities" (Beteille 2006: 29).

Karlsson (2006), on the other hand, carries a more favourable outlook towards the whole indigeneity debate. The rapidly growing activism of the indigenous peoples and their efforts to come together in order to address the historical injustices, if nothing else, points towards the relevance and undeniable resonance of the indigeneity concept.

The increasing representation of the indigenous peoples from India in the Working Group for Indigenous Peoples (WGIP) at Geneva, Karlsson further argues, reflects the anxiety and fears on the one hand and the urge to voice their own opinion on the other. In his study of the the statements and interventions of the participants at the WGIP, he notes remarkable activism of the representatives of the indigenous communities from the India's north-east. In general, these exchanges and meetings denote a commonly held understanding that indigeneity can mean different things (and hence definitions are mostly open-ended), and a will to connect through their common experiences and injustices 'translated into a new language that emphasise a common indigenous predicament' (Karlsson 2006: 54). Equating indigenous identity and movement with self-determination (for independent statehood) is politically as well as conceptually incorrect, and by doing so, the Martinez Report of 1999, that is being discussed below, 'misrepresents the aspirations of most indigenous peoples' and their struggle to 'make states more inclusive and democratic' (ibid: 64). He instantiates the indigenous struggles of the North-East where 'extensive ethnic complexities' characterise its society and politics. To understand what these communities drive for (barring few exceptions like the Nagas), we must go 'beyond the imaginary of the territorial nation' (ibid: 68). One Tripuri representative explained the threats that the indigenous peoples in Tripura have been facing, in the 2002 session: "The Tripura kingdom's merger with India in 1949 opened the area for large-scale immigration from neighbouring East Pakistan (later Bangladesh), and the indigenous Borok people as a result have become 'refugees in their own country' (ibid: 59). These threats, for the indigenous peoples, are real. But they do not automatically translate into a demand for separate statehood. Doing so, and through that not engaging with their claims of indigeneity, only causes further alienation and exclusion of these communities. This also robs them of their own agency in a representative democratic platform and reduces them to, as Amita Baviskar puts it, notions of '*adivasi*-as-victim' or '*adivasi*-as-exotic other' (Baviskar 2006: 41). The importance of reinstating the agency of the indigenous peoples in reclaiming their own history and

in constructing their own discourses must be taken up with utmost urgency, and this, what Dipesh Chakravarty argues, will 'bring aboriginals into the mainstream narratives of the nation by portraying them as active agents of history' (Chakravarty 2006: 242).

The discourse of indigeneity acquires even more gravity in the context of the modern political-economic system. Nathan and Xaxa (2006) argue that in India, aboriginal or tribal people and their 'deprivations' have been generally explained in terms of their exclusion or distance from the 'modern' economy. This would mean that their 'inclusion or incorporation in to the market-based or capitalist economy and society' would make things 'fine' (Nathan and Xaxa 2012: 3). In India, they argue, two different discourses on aboriginal people have developed. One discourse, best represented in G. S. Ghurye (1963), explains the 'comparative backwardness of the tribes' in terms of 'their comparative distance and isolation from the larger Hindu society' (Xaxa 2012: 23). Such an understanding not only confirms and legitimises the hierarchies as well as dominance of the Hindu society, but mitigates the essential diversity, indigeneity and autonomy of the tribes of India. The second discourse, as Verrier Elwin (1944) would argue, explains that 'the backwardness and deplorability of the tribal society was owed to their contact with the outside world, which had led them to become increasingly indebted and to lose control over their land and forests' (ibid).

Since, after independence, the emerging national leadership explicitly was convinced of the first discourse and attributed the economic deprivations of the indigenous communities to their isolation, Xaxa argues that the entire stimuli of the tribal policies after independence were put forward to bringing an end to such isolation and integrating them with the larger Indian (Hindu) society. The use of this very nomenclature of 'tribe' instead of indigenous people, he further argues, represents this line of thought. It tends to accrue the economic poverty and related aspects like poor health and education to the tribal communities themselves and their internal social structures. The category of 'indigenous peoples', on the other hand, 'focuses the overall discourse not on the large issue of colonisation and expropriation of tribal lands, forests and other resources' (ibid: 29). Explaining the indigenous communities' status in the modern post-colonial state in terms of their isolation and autonomy shall only create a self-other dichotomy in place of a more heterogenous multi-cultural understanding of society. This shall delegitimise the claims of these communities over their lands and resources, and weaken their struggles for autonomous existence even within the overarching state and its constitutional safeguards.

Selma Sonntag (2006) asserts the primacy of the Constituent Assembly debates in the social-structuring of post-colonial India. The Fifth and the Sixth Schedules together define the tribal (indigenous) communities' status and rights within the Constitution. However, she argues that "it was the Sixth Schedule, in opposition to the Fifth Schedule, the reified the exotic as authentic — providing a cultural justification for self-government. The two constitutional schedules imparted an implicit gradation of indigenous peoples along a continuum of authenticity" (Sonntag 2006: 191). Such a reading of the constitutional provisions ensuring the rights of the indigenous communities undermines the (essential) intrinsic differences and of the social structures of these communities and their active will to maintain and sustain these practices.

The Sixth Schedule of the Indian Constitution, that grants autonomous districts to two communities of Assam, Karbi Anglong and Dima Hasao (now three with BTAD), is meant to preserve the essential uniqueness, indigeneity, and traditional nature of the socio-economic practices of these communities as well as their rights over their lands and resources. Reading this as gradation of the 'exotic' will only further the discourse that attributes the deprivations of the indigenous to their isolation from the 'Indian society'. This further reaffirms the 'self' (the Hindu Indian society) and the 'other' (the exotic/victim indigenous communities) dichotomies. The Sixth Schedule shall be taken up in more detail in a later chapter. But to quickly just assert here, it must not be read as a medium or a measure of 'authenticity', but must be considered as an attempt to preserve the primary attributes of a community that describes itself as different from the rest of the society (and therefore fear marginalisation) and securing their basic rights as a group over their land and resources owing to their indigeneity which are just demands in a democratic polity. Having had a general discussion on the category pf indigenous peoples, we also must juxtapose it against the larger dominant socio-economic forces of capitalist production, global market, and development discourse.

Indigeneity Debates at the UN

A major part of the debates on indigeneity has taken place in various forums of the UN. The first international involvement regarding the engagement of the indigenous issues was attempted at a time when the League of Nations was still in a functional state. When the League was formed, the issues of indigeneity hardly featured anywhere near the prominent agenda. It was however approached in 1923, by Deskaheh, a Haundenosaunee chief, to speak and 'defend the right of his

people to live under their own laws, on their own land and under their own faith' (as mentioned in the UN website for indigenous people). Though he did not get a chance to speak there, his efforts marked one of the foremost attempts to take indigenous issues to an international forum. Almost at the same time, a Maori religious leader named T. W. Ratana, in his protest against breaking of the Treaty of Waitangi between the Maoris of New Zealand and the British, travelled first to London and then Geneva (the League headquarters) to speak against the injustices done to the indigenous people. He was denied any opportunity to speak. These attempts, however, brought the indigenous issue to international platform.

When UN was established in 1945, the initial years saw its exclusive and undivided attention channeled towards international security and peace-keeping. Gradually the scope of its activities got broadened. The agenda of indigenous peoples, however, remained outside its debates for a long time, primarily because of the ambiguities related to the concept of indigeneity. It was the Martínez Cobo Study of 1981 that made one of the first comprehensive attempts to put together a nuanced and exhaustive conceptualisation of the category of indigeneity.

The Martínez Cobo Study states in detail the actions and initiatives taken towards protection of indigenous peoples' interests at various forums within as well as outside of the UN. The most notable of them can be found at different conventions of ILO at different points in time. ILO had carried out studies on indigenous workers early as 1921. In May 1926, a Committee of Experts on Native Labour was set up by the ILO Governing Body which led to, among others, adoption of a number of recommendations towards aboriginal people. The study notes that, "the International Labour Conference, in article 2(b) of the Recruiting of Indigenous Workers Convention 1936 (No. 50), defined "indigenous workers" as "workers belonging to or assimilated to the indigenous populations of the dependent territories of Members of the Organisation and workers belonging to or assimilated to the dependent indigenous populations of the home territories of the Members of the Organisation" (Cobo 1981: 10). Subsequent conventions tried to incorporate more and more such communities within its forms. Since the Philadelphia Conference of 1944, the ILO has been working in various ways to fight the 'social problems of the indigenous populations of the world'. A Committee of Experts on Indigenous Labour was formed which first met in Bolivia in January 1951 and came up with a series of recommendations, one of which was working in closer association with the UN. The Panel of Consultants on Indigenous and Tribal Populations and a Technical Meeting on Problems of Nomadism and Sedentarisation were also organised by the ILO between 1962 and 1967. The conventions led to some important deliberations on the indigenous peoples'

situations. Parts from the ILO, other UN agencies like Food and Agriculture Organisation (FAO), United Nations Educational, Scientific and Cultural Organisation (UNESCO), World Health Organisation (WHO), Andean Indian Programme (AIP), and Organisation of American States (OAS) also have made attempts at deliberations in the interests of the indigenous communities all across the world.

The Chapter 5 of the Cobo Study deals in detail with the definitional aspects of the term indigenous. It mentions at the very beginning about the difficulties associated with defining such a complex term with varied notions. It, nonetheless, is very essential to state outrightly that, as Cobo explains, the agency of the indigenous peoples themselves must be given supreme consideration in developing any idea surrounding the category. The World Council of Indigenous Peoples had developed the following as a working definition of indigeneity: "The World Council of Indigenous Peoples declares that indigenous peoples are such population groups as we are, who from old-age time have inhabited the lands where we live, who are aware of having a character of our own, with social traditions and means of expression that are linked to the country inherited from our ancestors, with a language of our own, and having certain essential and unique characteristics which confer upon us the strong conviction of belonging to a people, who have an identity in ourselves and should be thus regarded by others" (Cobo 1982: 5). Cobo then identifies certain aspects that are widely regarded across the world, albeit with variations, in defining indigeneity: Ancestry, culture, language, group consciousness, multiplicity of defining criterions, acceptance by indigenous community, residence in certain parts of the country, and legal definitions.

The ancestry factor is known to have commonly existed among all indigenous peoples, though its relative importance vary from one case to another. Ancestry is invoked here to denote a common descent rather than any 'racial' identity. Amongst the Maoris of new Zealand, for instance, common ancestry for Maori identity relies more on how people see/identify themselves as, rather than their actual Maori blood/kinship relations or descent from the ancestors. "In practice, then, the criterion established by the Maori Housing Act 1935, which included 'any person descended from a Maori' is applied for the purposes of definition of who is a Maori. The present trend is stressing self-identification as a Maori and moving away from a specific degree of Maori blood" (Cobo 1982: 13). Amongst the Métis and Inuits of Canada, Lapps of Norway, the indigenous ethnic communities of Bolivia, Costa Rica, Ecuador, French Guyana, Philippines etc, too, ancestry is an important denomination of indigeneity.

Culture has been enumerated by Cobo as the second important factor in determining indigeneity. The report states that "any group in which the so-called 'autochthonous' elements predominate to a considerable degree would be classified as 'indigenous' group (ibid: 16). The consideration of culture must include "both material and technical elements as well as those relating to behaviour and ideology" (ibid). One of the other elements in understanding culture is religion, which might be both implicitly and explicitly stated in various cultures. A second element of culture, as noted here, is the practice of a tribal system. Reference has been made of India where the term "Scheduled Tribe" is used to designate communities as indigenous. "The specification that a person must be a 'member of a tribe, a tribal community, or a part of a tribe or of a tribal community or of a group within a tribe or within a tribal community' in order to be considered 'tribal' seems to give this criterion overriding importance or determining whether a person is or is not indigenous" (ibid: 22). In Canada, indigeneity is intrinsically attached to the association of a group with its land, its land rights and a general practice of common ownership. The Canadian government in its Indian land statute 1874 mentions that "the status of Indians are members of Bands who hold in common certain reserve lands generally by virtue of written treaties, though treaties were not signed in all cases. Some of these Band members have taken up residence off reserves" (ibid: 24). However, Cobo underscores the importance of the agency of the indigenous communities themselves in defining themselves and urges not to superficially read them into a western-styled membership of community. The 1968 US Congress imposed upon the tribes, through a statute, a legal system similar to the Bill of Rights. Though might seem 'emancipatory' and progressive, it diminishes the tribes' internal juridic-political authority and includes them within the voting membership practices (and regulations), thereby leading to 'the imposition upon already-threatened tribal societies of the standards of urban America'.

Thirdly, in come contexts like Philippines, Guyana, Peru, Bangladesh etc, simply living as a member of an indigenous community can lead to be regarded as indigenous. In many of these cases, specific dress codes and attires are also considered as symbols of indigeneity. "Dress is generally considered as an aspect of group consciousness, or of self-identification of the person, group or community with the indigenous population, or of the option or choice of that person, group or community. It is stated by their continuing decision they reflect both the indigenous culture and their attachment to it" (ibid: 29). Moreover, culture also connotes how a person or a community earns livelihood. Certain occupations have been identified in taxonomic references as indigenous, like reindeer breeding or herding in Norway and Sweden or living semi-nomadic lives in

Bangladesh. In Indonesia, Paraguay, Ecuador and so on, indigeneity is understood as 'pre-modern' or backward which is contestable. Use of vernacular languages also has been commonly regarded as a cultural indicator of indigeneity. Finally, self-consciousness of a group pr an individual is paramount in defining indigeneity. This idea of group consciousness denotes that "the individual or group considers himself or itself as 'indigenous', or that the community in which the individual or group lives considers him (sic) or it 'indigenous', or alternatively that there is a combination of personal and communal considerations which make him or it 'indigenous' person or group" (ibid: 37). Having discussed on the definitions of the category of the indigenous as put forward by Martínez Cobo, below is a brief discussion on the United nations Working Group on Indigenous Populations (WGIP).

The WGIP was formed in 1982 under the Economic and Social Council (Resolution 1982/34) as subsidiary to the Sub-Commission on the Promotion and Protection of Human Rights. It meets annually in Geneva. Consisting of independent experts as well as Sub-Commission members, the Working Group is one of the largest forums at the UN. It has initiated several dialogues for the promotion of interests of indigenous peoples and has provided a platform for various indigenous representatives to meet and exchange ideas. It has been home to, therefore, some of the most formative debates on the issue of indigeneity.

Subsequently in 1989, the ILO organised the Indigenous and Tribal Peoples Convention. The UN General Assembly, through its Resolution A/RES/47/75 declared in 1993 the International Year of the World's Indigenous People. This was followed by the launch of the International Decade of the Indigenous Peoples (1995-2004). In July 2000, UN Permanent Forum on Indigenous Issues was established. It is an advisory body to the ECOSOC. It is a 16 member committee that has a mandate to deliberate upon indigenous issues. In 2005, the second International Decade of the World's Indigenous People (2005-15) by the General Assembly. Five objectives were enlisted, namely, non-discrimination and inclusion, full and effective participation, redefining development policies, adopting targeted policies and programmes, and ensuring accountability.

The year 2007 saw two important developments. The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), a subsidiary organ to the UN Human Rights Council was established. The same year, UNGA adopted the Declaration on the Rights of Indigenous People on September 13th. Along with their right to equality and freedom, the Declaration also states clearly the indigenous peoples' right to self-determination and autonomy. It also states their rights against any

discrimination and forced assimilation. Highlighting their relationship with their lands, Article 10 of the Declaration states that: "Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return". Articles 26 and 27 underline the indigenous peoples' rights to their lands, resources and territories that have been theirs traditionally, and that the states must give legal recognition to such customs, traditions and land tenure systems.

In 2010, the General Assembly decided on conducting a 'high level plenary meeting' for the interests of the indigenous peoples. It was called the World Conference on Indigenous Peoples. The first conference was held in September (22nd and 23rd) 2014. The objective was to bring together different perspectives on indigenous peoples and discussing on the best ways to achieve their rights in view of the UN Declaration on the Rights of Indigenous Peoples. The UN still continues to hold active platform for debates as well as actions regarding the protection of the indigenous peoples all over the world. However, to reiterate what has been said here before, the developments at the UN in this regard must be understood merely as facilitation or initiation of world-wide discussions that will lead to an inclusive and comprehensive understanding of the indigenous issues and as extension of the struggles and strifes of the indigenous peoples everywhere.

Conclusion – how this study understands the category of the indigenous

At the end of the review of debates outlined above, this study sees indigeneity as essentially functions of a) cultural membership and b) relation to land. Both of these markers of identity have come into crisis with expanding capitalist forces. Indigenous peoples all over the world have faced the onslaught of imperialist expansion and capitalist assimilation at different stages of history. With colonial expansion, Europe began controlling distant lands thus leading to centuries of exploitation of resources and peoples of these lands. Colonialism was fought against from time to time and receded, only to emerge in newer forms.

Colonisation involved economic, political and cultural subjugation of whole communities. It not only took away resources but also the power of people to understand themselves and comprehend the world. Linda Tuhiwai Smith (1999) writes about the deep rooted alienation that colonialism brought to the colonised when they were robbed of their own perspectives, knowledge systems, and universe of meanings and symbols. "It appalls us that the West can desire, extract and claim

ownership of our ways of knowing, our imagery, the things we create and produce, and then simultaneously reject the people who created and developed those ideas and seek to deny them further opportunities to be creators of their own cultures and own nations. It angers us when practices linked to the last century and centuries before that, are still employed to deny the validity of indigenous peoples' claim to existence, to land and territories, to the right of self-determination, to the survival of our languages and forms of cultural knowledge, to our natural resources and systems of living within our environment" (Smith 1999: 1).

We can identify two phases of evolution of the nation-state system under capitalist expansion. The colonial nation-state was very much an ally of the capitalist forces. In the post colonial era, this system changes. The post colonial nation-state in many cases, acquired relative autonomy vis a vis global capital in the first few decades of independence. India was one such instance. However, under the neoliberal regimes of the late 20th and early 21st centuries, the status of the nation-state remains ambiguous. On the one hand, it has retreated from welfare functions, and on the other hand, has become more interventionist in favour of global capital. In this phase, it retains much of its power and authority vis a vis the indigenous peoples and in fact, expands upon it.

But the old indigenous world dies hard; it still keeps struggling against the incursions of the modern state that cannot thrive without dismantling the traditional social and human relations rooted in the old and natural pattern of life and economy. Looking beyond the restrictive lenses of class struggle and capitalist production on the one hand, and liberal rights and individuality on the other, helps us look into these collectivities in new light and understand social relations and deprivation in a new conceptual framework.

Definitions and Categories

I. Indigenous Peoples:

Indigenous peoples are understood as the original inhabitants of a place strongly bound by traditional ties and identity. Being a closed traditional group closely attached to land, they have been known to be largely outside the realm of the statist conception of power. For making the concept as inclusive as possible, indigenous peoples shall be considered as those communities residing in a place for a substantial period of time or up to the advent of colonial occupation.

II. Customary Laws:

In this study, 'customary laws' refers to those rules and practices of various peoples which have existed traditionally as matters of common acceptance and have not been originally parts of the legal code of any modern state. In fact, as would be seen, customary laws exist in tension with legal institutional codes of states and the latter, more often than not, are seen as expansionist and imperialistic. 'Customary' laws however, have been intervened in by colonial governments and are not pristine and untouched by the modern state. Nevertheless, having evolved from the people and their relation to the community itself, customary laws have been intrinsic to the indigenous peoples and in spite of the intervention of capitalist forces, have retained much of their indigenous nature.

III. Codification

Codification refers to a process of collecting and restating the law of a jurisdiction in certain areas. This process translates the traditional customary rules/ways of life of the indigenous peoples in a language that belongs to the modern nation-state and the legal identities it creates. Therefore the process of codification not only entails integration of customary laws into a uniform legal code, but also makes intelligible the lives and land relations of these peoples to the expanding and transforming state. However, codification need not and does not always happen externally from the state or other capitalist agencies. Since the act of codification has been identified with modernisation and hence progressive elements, codification also happens internally on the initiative of sections among the indigenous peoples themselves. "Integration of customary laws into modern laws makes these communities easily accessible, transformable, and amenable to the state. When modern land laws enter such societies, it is found that the result is class formation and a stronger patriarchal ethos" (Fernandes and Pereira 2005: 27-29).

The push for codification started with colonial expansion and much understandably for administrative and judiciary convenience. The Journal of African Law (1954: 74) notes this well, 'a factor, which makes the codification of customary law a topic requiring further consideration, is that the customary law is rapidly changing, and is also being administered by judicial officers or authorities who are not familiar with its rules; to some it appears that the only solution is the preparation of codes of customary law for use in the court'. D S Koyana (1981) in context of codification of customary law in Africa finds such codification undesirable as it alters some fundamental attributes of customary law and makes it prone to modern social hierarchies.

IV. Capitalist Transformation:

Capitalist transformation shall refer to bringing about of alienability of land to enable industrialisation and development of infrastructure in the mid twentieth century, and from late twentieth century onwards, to facilitate neoliberal-corporate agenda of accumulation. John T. Chalcraft states that "multiple regimes of production and exploitation have been established and have depended for their construction not only on the commodity form but also on war making, the state, empire building, political struggle, citizenship, capital/labour relations, unionisation, racism, gender, and so on" (Chalcraft 2005: 28). Capitalist transformation involves multiple channels of accumulation and alienation, and dispossessing indigenous communities of their lands and resources is one of them. Capitalist transformation, therefore, would denote the assumed unity and universality of the capitalist mode of production and translating the different economic existences into its language, thereby denying the essential multiplicities of the socio-economic domain.

V. The Rabhas:

The Rabhas are a tribal community of Assam residing mainly in Goalpara and Kamrup districts. They have been given an autonomous status under the constitution of India. On Tenth of March 1995, a treaty was signed between The Rabha Hasong Demand Committee and All Rabha Students Union (ARSU) with mediation of the then Government of Assam under the Chief Ministership of Late Hiteshwar Saikia and the historical 'Rabha Agreement' came into being. This treaty was signed to look after the political, socioeconomic, cultural and overall infrastructural development of the tribe spread over the districts of Goalpara and Kamrup. The Rabha Hasong Autonomous Council (RHAC) was formed subsequently. It has its head quarter at the small town of Dudhnoi. This was however only an interim measure. A full fledged democratically elected council with full constitutional legitimacy and power was supposed to be formed soon under the guidance of the government, a commitment which the government never fulfilled. As a result different organisations the ARSU, All Rabha Women's Association, Sixth Schedule Demand Committee and others have been incessantly carrying on their struggles for their demands of conducting elections to the RHAC and inclusion into the Sixth Schedule of the Indian Constitution. They call this struggle as a 'struggle against no community or organisation, but against the red-tapism and opportunism inherent in the way government functions'.

VI. The Tiwas:

The Tiwas are a tribal community situated in the heart of Assam. They are spread over the districts of Nagaon and Morigaon in central Assam and also in parts of Karbi Anglong and Kamrup districts. The stories of their origin are manifold. It has been largely accepted that Tiwas were residents of the Khasi and Jaintia Hills. Not subsuming to the matrilineal society and customary laws of the Khasis, they later shifted down the hill into Assam and settled in the central part of Assam. They nonetheless remained under the authority of the Jaintia Hills for long. It was only with the help and support of the Ahom kings that they could break away from the Khasis and Jaintias. Later they were formally established in Assam by the Ahom king and thereafter remained as his associate.

The national struggle of the Tiwas and Lalungs go as back as 1965. This was a struggle for socio-economic equality and political rights, and also against marginalisation and discrimination at the hands of the Indian state. This however was not a struggle for independent statehood. This rather was a struggle for autonomous rights very much within the Indian constitution for protection of their community rights, land rights, customary laws, and ethnic identity. Gradually this struggle took the turn towards demand of autonomous status. In 1995, on the basis the negotiations reached with the then Chief Minister Hiteshwar Saikia, the Tiwa Autonomous Council came into being. But independent democratic elections for the council with autonomous powers were yet to come. It was as late as 2010 that the areas under the council and other neighbouring Tiwa villages were brought together to form 36 constituencies and the elections were conducted. However, the elections were swept by the Congress Party and was followed by serious incompetence, false commitments, and deep crisis.

Introduction to Literature that Informs this Study

Indigenous Peoples' Identity and Movements

There is no dearth of literature on Indigenous peoples' identity and movements. This literature broadly speaks of the material and ideological exploitation of various capitalist regimes and the resistance of the indigenous communities for resistance.

Linda Tuhiwai Smith (1999) writes about the way in which colonial powers claimed ownership of the knowledge and imagery of the colonised while disowning and disregarding the very people who created these cultures and identities in the first place. The book aims at creating space for

indigenous peoples' research and independent ways of looking at their own cultures and identities in the academia. Most importantly in the present context, her work features the validity and importance of local ways of organising life and knowledge systems thereby denying the legitimacy of necessity of their codification and assimilation into the global forms of acceptable literature.

The edited work of Duncan Ivision, Paul Patton and Will Sanders named 'Political Theory and The Rights of The Indigenous Peoples' (2000) is a collection of rigorous essays on indigenous identities, and their place in political theory. Authors argue against the intrinsic biases of western liberal theory and the ways in which they opt out or unjustly incorporate indigenous communities its academic discourse. "Western political thought has often embodied a series of culturally specific assumptions and judgements about the relative worth of other cultures, ways of life, value systems, social and political institutions, and ways of organising property. As a result, egalitarian political theory has often ended up justifying explicitly inegalitarian institutions and practices" (Ivision et al 2000: 2).

While emphasising on individual rights liberal theory discourages any positive intervention towards group rights. Kymlicka provides a middle ground by arguing that only by ensuring the cultural and group rights of the indigenous communities and protecting their land rights can their individual rights be meaningfully achieved. 'Justice involves compensating for arbitrary and unfair social disadvantages, as well as promoting and securing the capacities of individuals to pursue and revise their own conception of the good. The value of cultural membership, including in this case a particular relation to land, is fixed relative to a conception of justice in which the value of autonomy is central. To give up on the centrality of autonomy for the purposes of a liberal recognition of difference is to risk tolerating practices that are not simply illiberal, but potentially harmful (Ivision et al 2000: 7). John Chalcraft begins with his skepticism against West's oblivious owning of classical texts and historical narratives. Historical narratives based on western experiences are parochial and insufficient. Instead he calls for a radical world history that 'can inhabit these discarded areas, make connections where connections are sundered, pull together fragmented and apparently disjointed practices and meanings, resist conversion, expose privileges interests, and assumptions in ways that destabilize the selective traditions on the basis of which the West enshrines its past, present, and future'.

There are also many studies considered in this research that concentrated on indigenous peoples' struggle against land alienation. Nitya Rao's *Good Women Do Not Inherit Land* (2008), Sigfried Pansewang's work on Ethiopia (1983), Edwin Gragert's study of Korea (1994), Philip Mcmichael's

study of Colonial Australia (1984), Varghese's study of colonial Kerala (1970), Cotula's work on African land alienation (2013), Sam Moyo and Paris Yeros's study of rural movements in Africa, Asia and Latin America (2005) — are some studies referred to here while engaging with indigenous movements against capitalist appropriation of their lands and resources. These are included in the chapter on capitalism as instances where capitalism, in its colonial as well as neoliberal forms, desperately attempts at disintegrating traditional socio-economic practices and attaining lands and resources in tandem with capitalist notions of property.

As for defining an indigenous person or an indigenous community, it is arguably the most difficult task in scholarship on indigenous peoples. No scholar, political scientist, sociologist, historian, anthropologist or even political philosopher has been satisfactorily able to define such an identity in an all encompassing manner. Attempts have however been regularly made. Such attempts all together give us a quite comprehensive picture of the definition.

Ken S. Coates (2004) attempts at defining the category of indigenous peoples. The author critically engages with the attempts at defining indigenous peoples by various conventions of the United Nations. However, what is emphasised here is the need to historicity and taking into account the diverse nature of the indigenous communities.

The United Nations (2009) takes a functional definition of the Indigenous peoples stating that 'Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system'.

Patrick Thronberry (2002) critically analyses the politics of defining and conceptualising indigeniety and identifying indigenous peoples. He deals with a wide range of ways of understanding indigenous peoples from Taylor to Kymlicka. He also looks at rights of indigenous peoples vis a vis generalised conceptions of human rights. In defining indigenous peoples he takes up the issue of coherence of the category that can be singularly defined.

Apart from these, this study also considers the developments at the UN surrounding indigeneity in quite depth. Engagements have also been made here Bengt Karlsson and T. B. Subba's (2006) study

on ‘Indigeneity in India’ that contain some very important works on the topic, Dev Nathan and Virginias Xaxa’s (2012) work ‘Social Exclusion and Adverse Inclusion’, Shibani Roy and S. H. M. Rizvi’s (1990) work on customary laws in India’s north-east.

Works on Indian indigenous communities have largely dealt with the political, economic and social aspects of these peoples rather than conceptual. For the current research interest, those communities will be regarded as indigenous which have largely been outside the direct realm of the nation-state and capitalist production, as well as those that have been sustaining on specific lands for considerable period of time and identify themselves with the land and the traditional community. What these studies largely contain on indigeneity debates can largely be identified with some common underlying themes. Firstly, there is the debate on defining the category: who defines it? Is a uniform definition possible? Secondly, indigeneity issue is intrinsically wedded to the traditional command over land and related resources. The question here is, then, how to preserve these ownerships and customary practices. Differentiation must also be clearly made here between indigenous peoples’ customary norms of communal ownership and management, against capitalist notions of individual private property. Finally, an important theme in these essays is the relative ‘backwardness’ of the indigenous communities vis-a-vis ‘modern’ capitalist societies, and whether their inclusion into or autonomy from the latter is the correct explanation. While building on the basic theoretical themes of these works, this study primarily deals with indigenous people in their own context and underscores the centrality of their customary economic practices and land relations in defining them. Departing from these scholarships, the popular ideas of ‘modernity’ and ‘development’ are critically debated upon here. In a world of multiplicity of norms and systems, indigenous customary practices stand as strong bases for struggle against capitalism.

Engaging with Capitalism

Chapter 2 takes up this theme in detail.

Taking off from the classical Marxian understanding of society and social change, this study centrally deals with a specific strata of scholarship within its larger discourse. It builds much on Gibson-Graham’s (1996) ‘The End of Capitalism As We Knew It’. Gibson-Graham’s work questions the unity and hegemony of capitalism that is assumed in both liberal and Marxist literatures. They argue for a more multi faceted understanding of the economy that would be

beyond the hierarchical social binaries (like capital/noncapital or male/female). Similar arguments have been made in some other every important works considered here. Immanuel Wllerstein (1993, 1999), Jack Goody (2004), Etienne Balibar and Immanuel Walllerstien (1991), Samir Amin (1999), A. G. Frank (1978), Aditya Nigam (2011), Kalyan Sanyal (2007), Ernesto Laclau and Chantal Mouffe (2001), Lois Althusser and Etienne Balibar (2009), Timothy Mitchell (2000) have been brought here together in building the argument. In spite of their differences, these studies, in some way or the other, converge in their idea of capitalism as a heterogenous, contextual and non-hegemonic practice (in the sense of being one among many economic practices). Not only is capitalism not inevitable, the progressive character so far associated with its inevitability, is also now quit redundant. Societies, especially with indigenous population, have existed with only marginal association with capitalist forces and instead of translating them into a capitalist vocabulary, they, must be treated on their own right.

Here, another corollary argument comes up. In being different from itself, capitalism, in its discursive as well as material practices, has been at discomfort while dealing with the diverse societies. Therefore, what can be seen as a result is, on the one hand, attempts at translating the diverse economies into a single language of capitalism, while on the other, institution of private property rights, desperately and forcefully, replacing the traditional customary norms. Neeladri Bhattacharya (2018), Rosa Luxembourg (1972), Timothy Mitchell (2005), along with the scholars working on indigenous movements, have been phenomenal to this study.

The Context of Assam

Chapter 3 takes up this theme in detail.

Literature regarding the socio-political context of Assam is available in both English and Assamese languages. Nani Gopal Mahanta (2013) analyses the political developments in Assam in regard to secessionist tendencies and the role of the ULFA. He asserts that conflicts between the Indian state and Assam have their genesis in the unresolved identity issues between both. He also dwells upon the impact of illegal infiltration on the larger human development of the region. Hiren Gohain (1985) also asserts the importance of the identity issues in the political developments of the region.

In Assamese literature, Hiren Gogoi (1992, 2004, 2005, 2013, 2016) writes about the changing demographic contours of the region and the political implications of the same. He argues for alternative political choices for the people of the region. He extensively writes on the problematic of indigenous identity for the people of the region and for the protection of land rights and cultural rights of the indigenous communities.

K.R. Dikshit and Jutta K. Dikshit (2014) present a very comprehensive introduction to the region. Their work is well grounded in history, geography and demography of the region and hence becomes a useful guide to get an overview of the context of Assam. Samir Kumar Das (2007) writes about the insurgency movements in the region and the ways to peace. He centrally focuses on the role of civil society in keeping peace. Samir Kumar Das (2008) also presents a detailed study of the internally displaced people of the region. He conceptually presents internal displacement as a research problem and builds up a case for national concern around it. Barbora (2002) notes that "certain basic questions relating to socio-political rights of the indigenous peoples, have not been resolved in the north-east" (Barbora 2002: 1285). Subir Bhowmick (2009) writes about the problems of perpetual insecurity and conflict in the region and traces them to the troubles of ethnic, indigenous peoples.

One of the most comprehensive historiographies of Assam is provided by Amalendu Guha (1991). In his Marxist reading of Assam's history, he carefully outlines the undercurrent of class formation behind the historical developments of medieval and modern Assam, and demarcates the gradual, but certain, progression from tribal to feudal and then from feudal to capitalist transformation. No account of Assam's history would be complete, however, without some comprehensive engagement with the seven volumes of Barpujari's *Comprehensive History of Assam* (1990), and the works of S. K. Chatterjee (1955), B. N. Puri (1969), Edward Gait (1926), Udayon Misra (1988, 2014), B. N. Bordoloi (1999), amongst others. A study of the Constituent Assembly debates regarding the Sixth Schedule has also been made. On the basis of the available literature and in the context of the theoretical paradigm of this study, what is developed here is a more indigenous community-oriented reading of Assam's history, that finds a western notion of modernity and historical progress quite misfitting, and in stead, it stresses on the autonomous and largely egalitarian nature of customary socio-economic institutions, which, rather than conforming to a larger capitalist paradigm, stands as its stark critic.

Rationale and Scope of the Study

The experience of modernity through external colonialism (British) and internal colonialism (India) have made attempts at codification of the customary laws of the indigenous communities and translating them into the language of the institutionalised state and power.

However, how progressive and liberating such practices are, is the question at hand. What these supposedly progressive codification and incorporation have actually been doing is not empowering these communities but silently making the path for capitalism to penetrate into these otherwise unreachable lands and peoples, through the destruction of community and introduction of individual rights to land and thereby creating alienability of land.

We need to go deeper into the question of ethnic identities and their existential threats. This research aims at delving deep into questions and issues of customary laws and traditional ties of indigenous communities. It shall also look into the uniqueness of these traditional communal ties and then find its connections with the larger capitalist society and economy, and the questions of nationhood. In this context it shall undertake a case study of two ethnic tribes of Assam and look into its incorporation into the larger national question. The north-eastern region of India has a large section of diverse indigenous population making the region demographically very rich and different. This study shall involve a detailed inquiry into the demographic question of the region in general and Assam specifically, with a focus on the tribal indigenous communities of the Rabhas and the Tiwas. Both the Rabhas and the Tiwas are indigenous communities of Assam with their own systems of customary laws and land rights. However, both communities, one from lower Assam and the latter from central Assam, face statist and capitalist expansion and incorporation, and are fighting for the survival of their customary laws, indigenous ways of life, and ownership over their land that they have traditionally owned. Their relation with the state and the questions of nationality within these communities shall be taken up. By studying their customary laws and land rights, the exploitative nature of the supposedly progressive liberal practices may emerge.

Research Questions

1) How have the customs and practices relating to land, of Rabhas and the Tiwas of Assam, been transformed over the colonial and post-colonial period?

2) How have these transformations enabled capitalist penetration of these societies?

3) Has there been any resistance to these transformations, and what forms have such resistance taken?

4) Are there alternative ways of existence for the indigenous peoples that are more egalitarian and just within the existing state system?

Hypothesis

The progressive liberal tenurisation of land relations and codification of the customary laws of the Rabhas and Tiwas, are indeed attempts to incorporate into the larger capitalist economy. These provide entry points for exploitative capitalist economy to penetrate into these communities that earlier had radically different relationships among one another, and to land and nature. The customary indigenous institutions (like communal land ownership and collective labour) question the assumed hegemony and unity of capitalism, and stand as bastion against capitalist appropriation.

Methodology

This research is a theoretical attempt to understand and make sense of grass-root level indigenous practices in the context of capitalist transformations. It, therefore, involves both primary and secondary resources.

Primary Sources

- Field work. This study is based on detailed and comprehensive field work over with the Rabhas and the Tiwas in Assam. It involves first hand study of their Autonomous Councils and their functioning. Customary laws and land relations are evaluated along with the impact of their current assimilation with the larger capitalist economy.

1. *The Rabhas*:

For this research, the Goalpara district has been chosen as the area for studying the customary socio-economic practices of the Rabhas. All the five revenue circles of the district, namely, (from west to east) Lakhipur, Balijana, Matia, Dudhnoi, and Rangpur, have been visited. The visits were made from Agiya and were accompanied by local Rabhas who could help me cover as many villages as possible. A full list of the Rabha villages within the Council area as well as the ones

visited during the field work has been included in the appendix. Direct contact with the indigenous population also provided me first-hand experience of the indigenous ways of life. The interviews conducted were open ended. The interviewees were largely from the elderly section who could talk in detail about the customary practices. The younger interviewees were largely consulted for the contemporary economic changes.

2. *The Tiwas*:

The undivided Nagaon district (Now Nagaon and Morigaon districts) is the field area selected for the study of the Tiwa community. Since the Tiwas live in scattered areas, unlike the Rabhas, I had to station myself Nagaon town and conduct my visits from there. The Tiwa villages are clustered into groups and spread over the whole area. They are not very great in number. A full list of Tiwa villages under the Council has been attached in the appendix. Locating these villages demanded assistance of the local people (both Tiwa and non-Tiwa). Local activists and journalists were my primary guides in visiting these places.

- Data base from the archives such as land holding documents, exchanges, etc have been referred to. Since these documents already appear in the secondary sources, often the latter have been cited. Government documents like census, election commission reports, demographic changes documents etc have also been used

Secondary Sources

- Study of political theoretical approaches and various conventions to understand the category of indigenous peoples and problematising their identity as well as for knowing someone their movements.
- Inquiry into the political, social and demographic context of Assam largely through books and articles both in Assamese and English.
- Study of the customary laws of the Rabhas and the Tiwas through published resources.

Chapters

Chapter 1: Introduction

This chapter has provided the background for the research and the overall framework for the study.

Chapter 2: Reconceptualising Capitalism

This chapter entails a theoretical and historical engagement with Capitalism as an institution and what changes capitalist transformation brings about. It historically traces the transformations that capitalism and capitalist growth have brought about and their repercussions for the indigenous peoples today.

Chapter 3: Assam: Historical Background

This chapter provides the context of the socio-political condition of Assam in which the research was done. It introduces the Rabhas and the Tiwas, the proposed case studies for this study. This chapter provides also the historical background to the study of Assam at large and the Rabhas and the Tiwas in particular.

Chapter 4: Land and Labour among the Rabhas of Assam

This chapter, based on primary research and field work, comprehensively engages with the tribal community of the Rabhas - their customary laws, and land rights. It involves a detailed inquiry into their traditional ways of existence and their relation to land. It also looks into the process of codification and other ways of penetration of state into their indigenous lives.

Chapter 5: Land and Labour among the Tiwas of Assam

This chapter, also based on primary material and fieldwork, is a study of the tribal community of the Tiwas. It deals with their indigenous lives, their customary laws and land rights, and the various ways in which they have been brought within the fold of the state.

Chapter 6 : Conclusion

The final chapter summarises and analyses the research conducted and engages with the research questions and hypothesis of the study. It analyses the way indigenous communities are placed in the contemporary political-economic context and establishes that codification of their customary laws and land relations, supposedly progressive, is but an attempt to prepare them for further capitalist assimilation.

CHAPTER 2

RECONCEPTUALISING CAPITALISM

This chapter attempts to do two things. One, it tries to reconceptualise capitalism as a non-hegemonic, non-unified socio-economic practice which cannot be incorporated into one singular historical development universally experienced. Two, it shows how capitalism in its colonial as well as neo-colonial drives has attempted at subsuming indigenous customary socio-economic practices and commodification of traditional resources like land by instituting private property rights with the aid of the state. Communal forms of ownership, hence, stand as a bulwark against capitalism.

Critiquing the hegemony and universality of capitalism may have many paths and trajectories. Covering all aspects of capitalism's deconstruction is beyond the scope and ability of this study. Here, I take into hand this mammoth task of deconstructing capitalism through four paths. These paths are neither exhaustive nor all inclusive. Given the context of this study, these paths present four fundamental ways to engage with the portrayed overarching existence of capitalism and simultaneously construct alternative ways of understanding social and economic forces, which provide us with the essential theoretical paradigm to understand the centrality of customary laws like communal ownership in the economic space.

The four paths I refer to above will be made clear later in the chapter.

Introduction - Indigenous Community Practices and Capitalism

In his seminal cinematic work '*Agnisnaan*', Bhabendra Nath Saikia presents a very intricate tale that addresses some very complex social questions. More than that, it successfully moves beyond the fixed binaries of good/evil, legitimate/illegitimate, strong/weak, masculinity/feminity, public/private and so on. Set in a traditional rural set-up of colonial Assam, the story revolves around the character of Menoka, the beautiful, strong and indomitable woman, who is married to Mohikanta and is a mother of four. Mohikanta's exposure to the British colonial enterprises takes him to newer economic avenues and also makes him some wealth. These new altered economic

circumstances also change his traditional conceptions of love, faithfulness and family. He soon marries another girl from a neighbouring village. However, as the initial frenzy settles down, his desires take him back to Menoka who warns him never to come close to her. Her persona, demeanour and resoluteness is beyond Mohikanta's ability to question, let alone breach. She is furious. But she does find some relief in her friend Madan, a thief with remarkable depth and understanding. Her own sexuality and desires takes her towards Madan, with whom she eventually conceives a child and, later at her own will, ends the relationship. She is not only unapologetic, but is filled with honour as she informs Mohikanta about the child. Her position, her agency in the family and the society remains unaltered and independent of her husband. Saikia's genius lies in being able to move beyond the binaries that are beyond the newer constructs of societies, a gift of Europe's idea of modernity. Menoka embodies the essential complexities and multiplicities of traditional and customary socio-economic lives of so many indigenous communities that can not be bound by the fixity of binaries and dichotomies.

Discourses on capitalism have occupied a major place in the economic, social, political and historical formulations since twentieth century. Capitalism, as it developed in Europe, has come to be translated into modernity through which every other development in the rest of the world must be understood. This singularity of capitalism in terms of historical space and time turns everything else into a inconsequential 'other' or the non-capital. "Modernity, like capitalism, is defined by its claim to universality, to a uniqueness, unity and universality that represents the end of history. Yet this always remains an impossible unity, and incomplete universal" (Mitchell 2000: 24). This universality is but a projection that eliminates the probability; even the possibility of different forms of economic existences. But going beyond the binary of self/other or in our case capital/non-capital, we can find the multitude of diverse economic practices that have always existed alongside capitalist accumulation. "Within the areas of sparseness/immunity the economic transactions that take place are seen to be of no consequence, and yet it is easy to imagine that interstices of the (capitalist) market, other markets do exist. And in these other markets non-capitalist commodities are exchanged" (Gibson-Graham 1996: 143). Traditional and customary practices of different indigenous communities have occupied substantial economic spaces. Singular historical readings have conveniently have either left them out or incorporated them into capitalist hegemony (Marx included, according to Mitchell (2000), Wallerstein (1983)). A reading that is inclusive of these diversities, like Saikia's '*Agnisnaan*', moves beyond

binaries and tells about a complex socio-economic arena where capitalism is but one amongst many entry points to the economy.

Reconceptualisng Capitalism: Deconstruction of a Hegemony

> *"Let no one argue against this that we are living in a different century, that much water has flowed under the bridge and that our problems are no longer the same. We are discussing living water which has not yet flowed away" (Althusser and Balibar 2009:33).*

Looking at world history and developments from the vantage point of Capitalism creates serious conceptual problems of temporality and spatiality. It also falsely universalises European experiences of capitalist production and imposes categories and processes that remain foreign to the rest of the world. Things do not stop here. The European experience becomes the standard against which the rest of the world is graded. "The destiny of those regions has been to mimic, never quite successfully, the history already performed by the West. To become modern, it is still said, or today to become postmodern, is to act like the West" (Mitchell 2000: 1).

The problem with capitalism understood as the systemic core of the economy in specific, and civilisation in general, is that fighting such a systemic macro-entity then necessitates an equally systemic giant. A total revolution and a subsequent socialist system is then the only alternative left. The problem of such a universalised and systemic understanding of society and economy is that it is both theoretically and politically problematic. It is misleading to understand conceptual categories like class as uniform and universal entities. The understanding of the economy must be given multiple entry points. Economy is not that single unified whole as both Liberal and Marxist thought have maintained. Instead the economy, like everything social, is contextual and exists and functions in multiple ways.

Gibson-Graham make a strong case in their 1996 work *The End of Capitalism As We Knew It* against capitalism's hegemonic projections and the binaries that come with it. "Theorising capitalism itself as different from from itself - as having, in other words, essential or coherent identity - multiplies (infinitely) the possibilities of alterity. At the same time, recontextualising capitalism in a discourse of economic plurality destabilises its presumptive hegemony…The capitalism whose hegemony is intrinsic never attains full concreteness. Its concrete

manifestations, its local and historical contextualisations, are always only modifications or elaborations of a dominance that already (abstractly) exists" (Gibson-Graham 1996:15).

Universalistic understanding of capitalism and any attempt to understand particular societies through such capitalist logic hence can render contextual and cultural differences redundant. Particularities and peculiarities have never been appreciated by capitalist development. "By a sort of impeccable logic, particularities of any kind whatsoever are said to be incompatible with the logic of a capitalist system, or at least an obstacle to its optimum operation" (Smith 1988: 5). By reducing the different types of socio-economic existences to the dichotomous other, these discourses deny the multiple practices even basic recognition. Wallerstein writes that "the construction of historical capitalism has involved, as we all know, this steady diminution, even total elimination, of the role of these small community structures" (Wallerstein 1983: 101). Elsewhere, Wallerstein and Balibar (1983) reiterate this argument when they say that capitalisms' drive for commodification and marketability inevitably leads it to aim for a universalist logic that would supersede the chaos of particularities.

A good number of scholars have been now making serious attempts at reconceptualising capitalism and theorising it from multiple vantage points that defy both traditional and Marxist readings. Gibson-Graham (1996), Sanyal (2007), Nigam (2011), Laclau and Mouffe (1985), Mitchell (2000, 2005), in some way Althusser and Balibar (2009), Balibar and Wallerstein (1991), Goody (2004), Kaviraj (2005) among others have attempted in various ways to underscore the specific spatial and temporal nature of capitalism as we generally understand. Reading capitalism in its specific context, then, frees the enquirer to question the assumed uniformity, universality and hegemony of capitalism. Capitalism's dominance projects time in a linear progression which subsumes every development within itself. So everything in the socio-economic sphere becomes a part of the larger body-capital; while, in the same process, anything that does not fit into the capitalist logic becomes its co-existent, dependent and mutually constitutive other - the non-capital, the pre-modern (by virtue of equating modernity with capitalism), the traditional and so on. Complex and multitude of processes and practices are thereby reduced to the dichotomous binaries of the self and the other. The economy, understood as the independent and autonomous space, becomes the seat primarily of capitalism and minutely of its negation - the non-capital.

What these theorists generally, and this chapter in specific, attempt to do is to deconstruct such assumed or projected domination of capitalism and its associated forces, and read it, instead, as one among many socio-economic existences. Economy is an interdependent and overlapping social arena with multiple entry points. The socio-economic realm is not one of dichotomous binaries, but like the film '*Agnisnaan*', a platform for complex totality of social relations. "We must acknowledge the particularity of Europe's reconstruction of the world because only then will it be possible to transcend it and to arrive hopefully at a more inclusively universalist vision of human possibility, one that avoids none of the difficult and imbricated problems of pursuing the true and good in tandem" (Wallerstein 1999: 179).

Inherent in the logic of capitalism hegemony is its essential drive for commodification which characterises it apart from many other socio-economic practices. Its drive for unhindered profit leads it to translate everything to market value, the only form of value it recognises. Wallerstein (1983) calls it 'the thrust towards commodification of everything'. "Historical capitalism involved therefore the widespread commodification of processes — not merely exchange processes, but production processes, distribution processes, and investment processes - that had previously been conducted other than via a 'market'" (Wallerstein 1983: 16). Commodification requires translating the other processes into a language that make them 'marketable', which, for instance, is reflected in the massive tenurisation and privatisation of the colonised lands. "Colonisation did not proceed only by taking over the rural landscape through physical conquest. Spaces had to be reconstituted to make them adequate for the purposes of civilisation - the operation of capital and expansion of agrarian frontier, revenue extraction and the institution of property rights, the mapping of fields and the separation of clearly judicable territories, the determination of legal subjects and fiscal citizens" (Bhattacharya 2018: 104). The point is that without commodification and the constant accumulation of surplus value, capitalism ceases to be itself, and such drives consequently leads to the denial of existence of any particularity or multiplicity of practice.

Nigam (2011) writes that things that capitalism treats as commodities, thing like land, might be many other things in many other economic practices. This, the capitalist discourses conveniently omits. "We may note that to most indigenous people, land is not simply a 'resource' to be bought and sold; it is a whole sacred space of culture where ancestors lie and gods and goddesses live" (Nigam 2011: 31).

Four paths through which the hegemony of capitalism can be questioned

A. Deconstructing the Capitalism-Noncapitalism Dichotomy:

> *The "other" of capital is now non-capital which articulates itself with capital, and the institution of market constitutes the space in which the articulation resides (Sanyal 2007:39).*

The first path of deconstructing the hegemony of capitalist system is to question the hierarchical binary of capital/noncapital. Studies on capitalism have portrayed a picture of an economy where capitalism is the omnipotent force for development. Capitalism's very size, intensity and capacity transform it into a larger-than-life entity. These very intellectual endeavours that create the umbrella of capitalism simultaneously create the another space of non-capitalism. It is a space that is by the very nature of its creation weak, atomic and fragmented. It is a lack of everything that Capitalism symbolises. Seeing economic sphere and practices (this itself has been taken up in the following discussion) as being lived by the Capitalist whole and disjointed others creates hierarchical and biased binaries.

Making noncapitalist practices the alternative to the Capitalist economy automatically instills in the system the designation of the "mainstream" and defines and dominates the other of itself. Capitalism has become in the social imagination of the modern civilisation that undeniable and unmistakable reality which and only which can carry the economy forward. It has that unmatchable calibre without which there is no economy today. Gibson-Graham have put this argument very well. "Capitalism's unified, progressive and omnipresent status embarks on it a distinct character of powerful and imposing stature. In other words not only is capitalism in itself triumphant, encompassing, penetrating, expansive (and so on), but by virtue of these "internal" capitalist qualities, other forms of economy are vanquished, marginalised, violated, restricted. Different as they may be from one another, they are united by their common existence as subordinated and inferior states of economic being" (Gibson-Graham 1996: 6). Additionally, not only do capitalist forces relegate the myriad of socio-economic practices to the inferior other, they also increasingly try to mitigate the diversities, subsume the differences and translate them into their own form. This can be seen in the colonial expansions where encounter with such multiplicities only led to more and more homogenisation by way of introduction of capitalist

values. “A vocabulary of terms was essential to comprehend reality, schematise knowledge and classify social relations. Local peculiarities had to be captured through familiar terms that carried meaning beyond the locality and which had wider, if not universal, applicability” (Bhattacharya 2018: 109). As will be taken in the next section, capital-noncapital dichotomies further strengthened the assumed hegemony and universality of capitalism, a process that require forceful and violent mitigation customary laws and practices.

Now, as mentioned above, this is where lies the problem with the overarching larger-than-life reading of capitalist system - it is that any imagination of diversity in economic existences becomes, if not impossible, then largely improbable. Such readings not only define the system but by the very act of creation of a mammoth structure, make multiplicity of existence mere phantoms. Therefore capitalism and its hegemony requires a rather ‘skeptical reading’. With the picture of capitalist hegemony, also is drawn a picture of what is to be resisted. If what is to be resisted is a mammoth capable of progress at a scale that is unmatched and unbeaten, then what can resist it must have an equally gigantic structure and potential. Its nature, structure and institutions may vary, a giant nonetheless will it be. May it be a peoples’ revolution, may it be a socialist state - but any alternative replacing the hegemony of capitalism must at least have the promise of a hegemony of equal intensity. One hegemony replacing another hegemony actually is a self-defeatist theoretical position. But the problem is in the vicinity of such readings of the capitalist system, diversified particular ideas remain, again, outside the scope of theory. Sanyal reiterates this argument. “The tendency to subsume under the term ‘capitalist development’ all developmental possibilities of a market economy, lodging - actually and potentially - different forms of production, derives from a social representation that sees capitalism as the dominant form of the economy. In this representation, capitalism’s dominance overshadows other possible, existing forms of production that are always already present, thus pushing the heterogeneity that inheres in the economy to the background” (Sanyal 2007: 4).

Capitalism’s overarching picture creates a weak pitiable version of the noncapitalist other(s). Its body could continue to ‘cover' the space of the social, so that everything noncapitalist was also capitalist (not of course a reciprocal relation). “It could still be inherently capable of initiating thoroughgoing (perhaps dysfunctional) social transformation, relegating noncapitalism to a space of necessary weakness and defeat” (Gibson-Graham 1996: 11). Gibson-Graham make an analogy with the understandings of gender here. The readings of sexes that make the male/masculinity/ manhood the fundamental terrain of knowing humans/civilisation reduce female/feminity/

womanhood into a negation of everything that the other is. Women then essentially become a lack of men. If manhood is the space for capability, strength, doing, then womanhood is realm for noncapability, weakness, non-doing. Binaries of sexes carry intrinsic reduction of the innumerable ways in which sexuality may exist. Similarly, Capitalism-noncapitalism binaries too reduce the multiple and essentially diverse ways in which economic existence may become reality. Noncapitalism like womanhood persists as a shadow of the dominant self: Capitalism and manhood. The 'others' of Capitalism lack its unity and power and hence become the feminised other of the male self, a domain which is identified by its lack and not its characteristics. Capitalism/noncapitalism perfectly fall into the binary hierarchies of phallus/chora[2]. On a related but different note, Wallerstein (1983) argues that the very hierarchical binary of men and women is actually a product of capitalisms hegemony. "Whereas in other systems men and women did specified (but normally equal) tasks, under historical capitalism the adult male wage-earner was classified as the 'breadwinner', and the adult homeworker as the 'housewife'. Thus when national statistics began to be compiled, itself a product of capitalist system, all breadwinners were considered members of the economically active labour-force, but no housewives were. Thus was sexism institutionalised…The legal and paralegal apparatus of gender distinction and discrimination followed quite logically in the wake of this basic differential valuation of labour" (Wallerstein 1983: 25).

This analogy has another dimension to it. Capitalist forces (more so with globalisation) have been infused with the unique capacity to expand and grow through penetration. Because of its sheer size and extent it can penetrate into and dominate over the noncapitalist forces. Gibson-Graham find these penetrations to be inherently 'non-reciprocal' in nature. This means, capitalism can penetrate into its outside, into what it is not, but owing to the meagre forms noncapitalist forces can not penetrate into the other. This shows close consonance with the

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[2] See Gibson-Graham (83) for more: These images of space as air and openness, enabling exploration and liberating potentiality, evoke feminist and postmodern uses of chora to represent space (Grosz 1995; Lechte 1995):
chora is fundamentally a space. But it is neither the space of "phenomenological intuition" nor the space of Euclidean geometry, being closer to the deformations of topological space. Indeed, the *chora* is prior to the order and regulation such notions of space imply. It is an unordered space. Although Kristeva herself says that the *chora* "preceded" nomination and figuration, this is not meant in any chronological sense. For the *chora* is also "prior" to the ordering of chronological time. The *chora,* therefore, is not an origin, nor is it in any sense a cause which would produce predictable effects. Just the reverse: the *chora,* as indeterminacy, is a harbinger of pure chance. (Lechte 1995: 100)

Chora is the term Plato uses to denote the space of movement between being and becoming - "the mother of all things and yet without ontological status":

Chora then is the space in which place is made possible, the chasm for the passage of spaceless Form into a spatialized reality, a dimensionless tunnel opening itself to spatialization, obliterating itself to make others possible and actual. (Grosz 1995: 51)

dualism of male/female sexuality. “The globalisation script normalises an act of non-reciprocal penetration. Capitalist social and economic relations are scripted as penetrating "other" social and economic relations but not vice versa. (The penis can penetrate or invade a woman's body, but a woman cannot imprint, invade, or penetrate a Man)” (Gibson-Graham 1996: 125). This dimension further diminishes the noncapitalist forces by ripping them off of any possibility, if there was ever any, of standing in opposition to capitalism.

But, what if capitalism is not seen as that unified overarching hegemonic institution? What if capitalism is not infused with a holistic structure and instead is left with multiple open-ended possibilities of forms? What if economy is no more understood as a dynamism between capital and noncapital? I will bear few words from Gibson-Graham here. “If capitalism/man can be understood as multiple and specific; if it is not a unity but a heterogeneity, not a sameness but a difference; if it is always becoming what it is not; if it incorporates difference within its decentred being; then noncapitalism/woman is released from its singular and subordinate status. There is no singularity of Form to constitute noncapitalism/woman as a simple negation or as the recessive ground against which the positive figure of capitalism/man is defined. To conceptualise capitalism/man as multiple and different is thus a condition of theorising noncapitalism/woman as a set of specific, definite forms of being” (Gibson-Graham 1996: 44). Understanding capitalism as multiplicity, not as one capitalism but as many capitalisms, creates a decentered scattered diverse notion of the institution. And by this very reading noncapitalism is released from its being a negation. It is no more a negation of systemic whole, because that systematic whole does exist no more. The analogy with the sexes remains meaningful here. The way the unfixity of the the phallus can create a space where the chora can exist as an independent entity, the idea of a decentered diverse capitalism creates an independent space for the noncapitalism. Economy shall no more be reduced to hierarchical binary of capitalism and noncapitalism instead would be pregnant with multiplicity of forms. Singular independent economic practices and transactions shall no more be lost in the despair of meaningless minuscule alternative. Capitalism, since no more holistic unified whole, will be able to penetrate as well as be penetrated, and economy will no more exist as summation of non-reciprocal relations.

Only such appreciation and wilful conscious embrace of multiplicity can lead us away from reductionist binaries of Capital-noncapital. With this binaries, capitalism will continue to be hegemonic. It will also continue to singularly define the very struggles that are meant to oppose it and as a result such struggles will create a different but an equivalent hegemony. If this is not

the outcome we are looking forward to, capitalism must be deprived of it singular unity that it is projected with and the powers that flow form it. Bereaved of its unity and progressive powers, capitalism will cease to exist as one force and it will emerge as innumerable different forces. Only such a reading can give the necessary condition for the equally innumerable noncapitalist forces to flourish and sustain without despair.

B. Away from "Capitalocentrism": Considering the Diverse

Having proposed a multiple heterogeneous institution of capitalism, we come here to the second path of deconstructing capitalism. The economy, in both Marxist and Liberal paradigms, have been portrayed as an independent fundamental sphere whose sanctity must be a theoretical given. We can find the critique of such homogenous ideas of economy through many theorists. In Marxist thought, 'the economy may be understood as a mechanism of society acting upon objective phenomena independently of human action' (Laclau and Mouffe 1985: 78). "There was, however, a reason for the paralysis of social democracy with regard to any structural change: and this was the persistence of the Second International's economism, the view that the economy constituted a homogeneous space dominated by necessary laws, not susceptible to conscious regulation" (ibid 1985: 73).

This can be explained no better than by Gibson-Graham themselves:

> In the absence of specialisation producers are atomised, producing on their own or in small communities the wealth that satisfies their wants and needs; the "economy" is a plurality of practices scattered over a landscape. Increased specialisation, however, requires greater social integration, in order for reproduction to take place. The *division of labor,* and the specialisation it entails, thus necessitates the *integration of labor.* Over the course of history, then, what was once plural becomes singular. Fragmentation becomes an aspect of unification rather than a state of atomism and dispersal. Scattered economic practices come together as "the economy" - something we all recognise, though may differently define, in economic discourse today (Gibson-Graham 1996-99).

Such hegemonic conception creates an economy that is inherently superior to and independent of the rest of social existence of humankind. As such economy becomes the base, the fundamental platform from where everything else flows. All social relations, communal identities, human exchanges flow from this singular unrelated domain. And this is a domain, again, that is

singularly occupied by capitalist institutions. Hence the very idea of economy as an independent unrelated hegemonic realm forecloses the probability, and even the possibility of alternative ideas and practices of economic nature to exist as meaningful activities. This structure of economy is a realm of fixity. Economy and economic transactions attain specific exclusive meanings and get defined in strict sense. Laws are made out of these definitions. Standards are set. Principles are propounded. And the innumerable different ways of economic existences are reduced to one specific way of doing things. Of course, that one way is the capitalist way since no other force bears the majestic structure that is does. "The adjective 'economic' expresses the major transformation introduced by capitalism: it gives a dominant position to the economic dimension, as opposed to the dominance of political and ideological dimensions in previous systems" (Amin 1999: 11).

If economy is fixed in meaning and practices, and if this realm of fixity is embodied by capitalist system, then how do we account for the tremendous varieties in which economic exchanges are made all across the world. How do we explain these varieties and multiplicities through a fixed range of meanings? How do we account for those ways of life in which the so-dearly-guarded sanctified borders of the economy do not exist at all? What if the social, political, economic all constantly intertwined such that economy no more remains as a sphere of determinate laws and principles? How do we explain theoretically the hundreds of indigenous practices all over the world that are very much economic in nature but do not follow the laws of modern bossy economics?

The way to make some sense in this myriad of various economic practices is to strictly reject the fixed definitive understanding of the economy and move towards loosening its borders and the meanings of what constitutes it. Gibson-Graham talk about deconstructing the mono structure of economy, and then instating in its place a space that would be devoid of any fixity in terms of meaning, scope and definition. In place of the fixity and exclusiveness of the (capitalist/liberal) economy, Gibson-Graham suggest a diverse economy. This would be a sphere without any fixity. It would be the realm of the fluid. The diverse economy is fertile with any number of entry points into the economy and is inclusive of different kinds of practices. It is the realm of the 'heterogenous landscape' that does not hold any definite concept of the ideal. "Our intervention has been to propose a language of the *diverse economy* as an exploratory practice of thinking economy differently in order to perform different economies. The language of the diverse economy widens the identity of the economy to include all of those practices excluded or

marginalised by the theory and presumption of capitalist hegemony" (Gibson-Graham 1996: xii). Diverse economy helps us deconstruct the whole sphere of the economy. In opposition to the 'proliferative fullness' of the capitalist economy, diverse economy gives us is 'an emptiness'. Diverse economy can therefore exist in any form and shape. It has the space to accommodate different and multiple forms of transactions. It provides no ideal economy, and therefore no alternative. The practice of the community economy rejects any idea of a fixed perfect economy and instates a space that is mutually constitutive of 'negotiation, struggle, uncertainty, ambivalence, and disappointment'.

Critiquing the hegemony of the capitalist economy lays the path for direct participation in the struggle against capitalism. If capitalism is not the unreachable distant mammoth, then it is a part of the daily lived experiences. Embodiment provides the direct entry point into the structure and hence multiple and exponential ways to exist within and without the system. The forces to fight capitalism hence emerges for the very social context within which it functions. Embodiment can lead to structural changes through the change in the self. "What this means to us minimally is a process of producing something beyond discursively enabled shifts in identity, something that takes into account the sensational and gravitational experience of embodiment. If to change ourselves is to change our worlds, and if that relationship is reciprocal, then the project of history making is never a distant one, but always right here, on the borders of our sensing, thinking, feeling, moving bodies" (Gibson-Graham 1996: xii).

Such a deconstructed and embodied understanding of capitalism draws its analogy from feminist struggles. Gibson-Graham have successfully laid down the analogy of the struggle. The draw from the very idea of feminist movements '*if women are everywhere, a woman is always somewhere, and those places of women are transformed as women transform themselves*'. Deconstructing the institution of patriarchy and embodying it into the lived experiences of daily lives, feminist movements could build up from the otherwise mundane exercises of an ordinary life. One need not be a leader, martyr or even a academic per se, but can be a feminist through her/his own defiance and resistance in small acts that make up patriarchy. Hegemonic and systemic understanding of capitalism makes an equally systemic structural resistance a prerequisite. Embodying its struggle in persons enables feminist politics to simultaneously fight from a multitude of places and localised agencies and hence offers the movement two altogether different 'ontological substrates' - thus feminist politics hence can be both global and local at the

same time. “A feminist spatiality embraces not only a politics of ubiquity (its global manifestation) but a politics of place (its localisation in places created, strengthened, defended, or transformed)” (Gibson-Graham 1996: xxvii).

A unified hegemonic realm of economy shall throw us back to the capitalism and noncapitalism dichotomy. A realm that has fixed rules and definitions can accommodate only fixed systems and institutions. As a result everything else happening outside that fixity shall lead to relegating these practices as a negation of the norm, as an absence, as a lack of what they otherwise should have been. Economic reductionism and domination hence shall lead us back to the dichotomous world of capitalism and noncapitalism where capitalism is the only driving force towards progress and development (these concepts too need critical engagements which has been taken up in the following section). Sketches of noncapitalism in such a context shall inevitably be made in terms of what it is not, capitalism, and will be lost in the meaninglessness of the outside. “Thus rather than constituting a diverse realm of heterogeneity and difference, representations of noncapitalism frequently become subsumed to the discourse of capitalist hegemony. To the extent that capitalism exists as a monolith and noncapitalism as an insufficiency or absence, the economy is not a plural space, a place of difference and struggle” (Gibson-Graham 1996:13). These considerations have been taken up seriously in the post development literature as will be taken up in the following sections. Post-development literature brings to the fore the essential intersection of anti-eurocentrism with anti-economism. As long as economy will continue to be the essential base of the entire human existence, untouched and unmediated by outside forces, diversity and multiplicity shall never be considered seriously and with unbiased acceptance because such economism creates a god of its own, a god that is particularly fixed in form and constitution and belongs to select few. “Just as the “articulation of modes of production” militated against the economic monism of traditional development theory, post-development theory militates against the economic essentialism of both mainstream and left development theories and practices” (Gibson-Graham 1996: 42).

To maintain the multiplicity and openness in economic forms, an open unfixed undefined realm of economy is a theoretical pre necessity. We can call it ‘diverse economy’ as Gibson-Graham do and as largely this study too has refereed it to as, or we can call it anything else, because it will essentially be a realm with no fixity, no fixity of meaning and no exclusivity of practices. It will

belong to the local as against the unity and hegemony of capitalist economy. The ways of life all across the world, the innumerable diversity of human practices, the uncountable multiplicity of social transactions that have been relegated to the real of the other or subsumed within the capitalist system itself as its lack, can attain meaning and recognition as valid social practices with no otherness in them only within an economy that will have porous borders, that will have no predetermined realm and that will have the theoretical and practical tools to accommodate diversity with equal dignity and acceptance.

C. Capitalism Outside Europe: Questions of History and Time

> *"The movement of history is not foreknown, it does not proceed along a straight line or in a single direction. It is made up of moments of advance in some direction, of hesitations, of retreats, of blind alleys, of choices at forking pathways" (Amin 1999: 81).*

The problem of assumption of capitalism as the hegemonic force is not only theoretical (as discussed above) but also historical. Our third path to deconstructing capitalism engages with this supposed unilinearity and universality of capitalism and brings it to the context of the third world. Assumptions of capitalist supremacy and unity presents a specific historic trajectory as inevitable and universal. However, the context of the third world, where the primitive accumulation could never be complete and subsequently could not overcome all other means of accumulation, presents a case of existence of capitalist and noncapitalist forms of economic existences. Capital therefore takes a whole new form when it enters a totally different context and thereby already falsifies the claims of uniformity and creates rather what Sanyal calls a "surrogate synthesis".

Capitalism has been treated as an ahistorical phenomenon that would 'happen' (inevitability of this ascertained) to every place and all peoples, sooner or later. Capitalism, hence is bound to happen. The contexts, the peoples, the communities, the specificity of historical development, the uniqueness of social relations can never become fetters to this inevitable advent. Such ahistoricity clouds the essentially constituted nature of both class relations and capitalist production. "An understanding of capitalist development requires that the ahistorical notion of capitalism as trade-based division of labour be eschewed in favour of an analysis of conditions

under which the capitalist class relations - which is a historically specific set of relations - emerge and ultimately replace the pre-capitalist class relations" (Sanyal 2007: 12).

Assertion of the inevitability and universality of the capitalist system is not only a case of mistaken ahistoricity, it also brings forth a forced linearity in historical development embodied in the ideas of progress and development. It says as if the whole world shall/must, sooner or later, fall into the same trajectories of development. Gibson-Graham call this the 'ladder of evolution'. "By denying the existence of other branches and pathways, the image of development as a ladder of evolution promotes the monolithic capitalism it purports to represent. In its most egregious and easily recognisable manifestation, the development ladder ranges the countries of the world along a unilinear hierarchy of progress, calling forth attempts to eradicate "traditional" economic forms and replace them with capitalist industrialisation" (Gibson-Graham 1996: 115). "History is seen as a medium of progression where a superior mode overtakes the previous system. History hence is a constant advent of subsequent successions, of dichotomous change. It is a change whereby the pre-capitalist/traditional order completely gives way to a capitalist/modern system, a change that irons out all discontinuities and differences, and highlights the systemic oneness of the capitalist order" (Sanyal 2007: 68).

The presumed linearity of time, the idea of entirety of social organisations moving towards some preordained/inevitable telos, has its own theoretical inconstancies and historical/geographical biases. These ideas of homogeneity of time portray one specific picture of modernity and development which is then universalised for everyone and every part of the world which indeed is actually based on a specific European context. Mitchell (2000) writes as an instance that the Carribean agro-industry finds its place in modern history as a precursor to later capitalist development, its relation to modernity is its being a stage in the development of capitalism. "Historical time, in such an account, is singular, moving from one stage of development to another. There is no possibility of more than one history, of a non-singular capitalism" (Mitchell 2000: 8). Accounts that try to question this temporal singularity by locating important occurrences and phenomena outside of Europe, typically reiterate that very singularity by repositing it into geographical unity. "The discipline of historical time reorganises discordant geographies into a universal modernity" (ibid). Mitchell introduces Walter Benjamin's concept of 'homogenous empty time' to explain how simultaneity creates the experience of 'living the same homogenous temporal moment'. "This effect of simultaneity makes it possible to construct the idea of historical time: history is the story of a civilisation, culture, or people whose diverse lives

are imagined to share a singular epoch and to progress as a unit from one contemporaneous moment to the next" (Mitchell 2000: 15).

In questioning modernity, Mitchell thus critiques the singularity of history, the linearity of time that capitalist discourses create. Such an attempt at translating and interpreting complex and varied historical - temporal and spatial - developments into a 'singular historical time', Mitchell writes, "finds its first clear expression in the work of Marx". The singularity of history, in Marx's case, derives from the development of the material forces of production, which periodically outgrow the social relations in which they are organised. Singular does not mean uniform. "One can gather together a diversity of local histories and describe them as different, in sequence, aspect, place, and period, precisely because they are imagined as possible variations in a single process of development. Presenting them as variations establishes the concept of a universal history, in relation to which all local histories - delayed, displaced, blocked, or rearranged - received their meaning" (ibid: 9). This historical linearity and singularity has been shared by many theorists since. "What is surprising is that their ideological opponents, the Marxists - the anti-liberals, the representatives of the oppressed working class - believed in progress with as much passion as liberals" (Wallerstein 1983: 98).

In the outside of Europe, such evolutionary histories demand reading diverse and complex phenomena in singular historical time. For instance, as would be taken up in detail later, colonial excursions and rules saw immense effort put into understanding the variety of socio-economic practices of the colonised people and translating them into a language that fitted into the evolutionary paradigm. This took different forms in different contexts. One of these attempts was, in context of India, for instance, was to read the existing socio-economic institutions into the larger discourse on capitalist transitions. This meant transformation of existing customary practices into capitalist economic relations on the one hand, and translating them into a stage within capitalist evolution on the other. "The history of village tenures is framed within a larger evolutionary meta narrative. The movement from Zamindari to bhaiachara was a movement from he primitive to the modern, from blood to territory, from a constraining social order controlled by the brotherhood to unregulated individual agency…The movement was inevitably from collective to individual property" (Bhattacharya 2018: 127,128).

This trend, however, continued to be dominant even in the post-colonial literature. Much of socialist histories written in the later decades of the twentieth century continued to have the

evolutionary undertone. This is shown in the next chapter in my critique of Amalendu Guha's reading of Assam's socio-political history. In order to overcome the dominance of capitalism, it is necessary, first of all, to denounce these historical linearities. Diversities must be understood in their own terms. "We have to renounce linear developmental schemas once for and all, not only where modes of production are concerned but also in respect of political forms" (Balibar 1991: 90). Althusser's idea of overdetermination is a central tool in this context. This works in direct opposition to deterministic understanding of capitalist system. "(W)e are beginning to conceive this history as a history punctuated by radical discontinuities, profound re-organisations which, if they respect the continuity of the existence of regions of knowledge, nevertheless inaugurate with their rupture the reign of a new logic, which, far from being a mere development, the 'truth' or 'inversion' of the old one, literally takes its place" (Althusser 2009: 48).

John Chalcraft (2007) expresses his skepticism against West's oblivious owning of classical texts and historical narratives. Historical narratives based on western experiences are parochial and insufficient. Instead he calls for a radical world history that 'can inhabit these discarded areas, make connections where connections are sundered, pull together fragmented and apparently disjointed practices and meanings, resist conversion, expose privileges interests, and assumptions in ways that destabilize the selective traditions on the basis of which the West enshrines its past, present, and future'. The attempt to relate all economies across in one continuum from pre capitalist to capitalism is an exercise of power. Trying to comprehend everything from the lenses of capitalism is imposition of a foreign economic and social system on everything leads to defining historicity, rationality and progressive politics in Eurocentric and unproblematic ways. Therefore whatever falls beyond the logic of capitalist production either becomes subordinated or historyless. Colonial mode of production was hard to explain by plain Marxist capitalist logic. Hence they become the incomprehensible 'other'.

The third world, then, becomes a discomforting hiccup to the whole idea of capitalist progression. Here the great supersession does never take place. What we see instead is a simultaneous existence of multiple forms of economic and social systems. "The historical process is seen as a process whereby a "superior" mode rises to dominance to characterise a particular epoch by superseding the earlier mode. In other words, a higher moment in history supersedes its lower moments. (I)n the Marxist analysis, the third world is envisaged as an articulation of the capitalist and pre-capitalist modes of production, which reproduces itself over time without the former superseding the latter" (Sanyal 2007: 15). Utsa Patnaik (1978) also

argues that capitalism could never be typically instated in the colonised world. The conditions which together led to the rise of capitalist enterprise in Europe (Britain specifically) never existed in other parts. “In west Europe, the large-scale manufacturing and urbanisation took place simultaneously with the creation of a free labour force, which was continuously observed into the new type of factory employment; while the consequent expansion in the demand for agricultural goods was met by an agriculture progressive organised on a more productive capitalist basis. In India on the other hand, the process of petty production, pauperisation and growth in landlessness took place during the colonial period without such a parallel expansion in manufacturing organised on capitalist lines, and without a sufficient expansion in the market for agricultural productions. The Indian case illustrates clearly that the mere penetration of money and exchange into the pre capitalist structure and the consequent growth of commerce fails to dissolve pre capitalist forms of organisation” (Patnaik 1978: 99). The third world becomes therefore a case of lawlessness in the whole modus operandi of the historical progression.

Sanyal makes an analogy between Foucault’s allegory of ‘ship of fools’ and the vast multitude of people in poverty in the non-European world. The madmen are sent away from the society in ships into a journey from which they are never to return. Water is here regarded as a medium of purification, a way to salvation. But it also maintains a connection of the ship with fools with the sane society as a reminder of God’s wrath and the constant presence of the unlivable ‘other’. Similarly the vast multitude of people thrown into poverty and reaped off of their basic subsistence in the non-European world lie actually outside the realm of capitalist expansion and its conjunctive unemployed population which are nonetheless very much within the ambit of capitalist mode of production. “The need economy is the post-colonial space of confinement” (Sanyal 2007: 65). The former are actually the outcasts that capitalism cannot fully explain and continuing to look at world developments through capitalism inhibits any attempt at understanding theses societies in their own terms. “The ship carrying its insane go, drifting from port to port, with the gates of the cities closed and the insane not allowed to disembark, brings to my mind a similar landscape, the post-colonial one, in which a large part of the population, dispossessed and marginalised, wander around in a wasteland seated by “capitalist development”” (ibid: 45).

In this context, Sanyal gives the idea of ‘surrogate synthesis’. For him the large space of the third world, The space for the underdevelopment is altogether a new phenomenon in the theoretical paradigm of capitalist transformation. He sees underdevelopment rather as ‘castaways of

development', a category that is starkly different from the primitive accumulation. As talked about above this space represents a space of the other. "It is this wasteland, constituted by the shadowy figures of the rejected, the marginal, the leftovers of capital's arising, the wreckage and debris, that remains as an outside of "self-subsistent" capital" (Sanyal 2007: 53). And here, while drawing a distinction between capital in the developed parts and the underdeveloped parts of the world, Sanyal is making an important theoretical argument. Capital is never capital in the true sense until it has totally "become" and therefore capital at the stage of transition is never self subsistent. As long as capital depends on its outside for its genesis and generation, it is in its state of "becoming" and not "being". As such, attempts at explaining simultaneous existence of capitalist and non-capitalist forces in terms of generation of the conditions essential for capitalism's sustenance is theoretically problematic.

The simultaneous presence of pre-capitalist and capitalist forces in the third world can be explained by the differential needs and demands of capital in these contexts. The historical supersession, even as Marxism explains does not take place in these regions. An autonomous capitalist system must rise from the fetters of the old modes of social production and their production relations. Those fetters never completely absolve the traditional economic relations from their need to the society. Capitalist production arrives when the earlier economic systems still function as unavoidable and necessary part of the existing social systems. Also the necessary conditions of capitalist hegemony, albeit dominance of the market, acceptance of private property as basic economic relation, and freely available wage labour, have not fully arrived in these parts. Therefore, pre-capitalist modes become the essential base for capital to come and rise. These modes occupy the vacuum and fulfil the conditions necessary through which capitalist forces can successfully install themselves. A second reason is the need for the market for the goods of capitalist manufacture. Capital must be constantly utilised and reproduced. Manufacturing therefore must not ever stop. However incessant manufacture causes crisis situation if those goods do not find place to be absorbed, and for the capital to be generated. Pre-capitalist sector functions as the outside to capitalist production, as Luxemburg understands, and provides markets for 'realisation' of capitalist production.

However, such explanations suffer from serious theoretical mistakes. Surplus labour, for instance, does exist in the developed world, but does so as an integral part of the capitalism's own "being". But the surplus labour is not the product of this fully grown and mature capital in the developing world. It is rather a product of the primitive accumulation or of the capital's

"becoming". "The wasteland of the dispossessed is the result of the process of primitive accumulation and the dispossessed as a theoretical categories excluded from the very space which class-based exploitation is defined" (Sanyal 2007: 58). He understands labour in the developing world as 'decapitalisation', by which he means that whereas capitalist accumulation (both in primitive and later stages) works to transform labour and means of labour into capital and thereby unite them within the process of capitalist accumulation and production, capital in the developing societies is partially flown back into the outside of the capitalist production and therefore what results is a process of strengthening of the outside of the capitalist system and a perpetual existence of surplus labour outside the space of capital in the form of a need-based economy. "Like the proverbial Sisyphus, capital is engaged in a task that is never accomplished; its arising is never complete; its universality never fully established; its *being* is forever postponed. In other words, inscription of the wasteland, in what Marx calls the immanent history of capital, condemns the post-colonial capital to a perpetual state of being" (Sanyal 2007: 61). And this is a result not of capital's weakness but its vigour, its very ability to reach to its outside and transform it. This economy of the developing or postcolonial world is not therefore a mere 'pre' of the capital, the preceding moment of capital, the chronological predecessor. This economy is a 'non', a new sphere simultaneously inhabited by 'dissolution' and 'recreation' and made possible by the 'development interventions'. The elite in this case must appropriate the elements of collaboration in subaltern consciousness - elements that are rooted in an autonomous cultural space - and hegemony takes a complex form. In terms of the historical materialist framework, "*the thesis here for its own development incorporates a part of the antithesis to produce a surrogate synthesis that blocks the true synthesis*" (Sanyal 2007: 30).

Development has been seen as a neutral phenomenon for quantitative analysis. But development is a way of looking at things, a way of defining what is desirable and what is not. Development as a historically specific construct portrays only a specific way of existence as good life and therefore moulds across places the very ideas of change. "Development involves a particular way of knowing the reality, making statements about it from institutional sites, producing and disseminating effects of truth and bringing into play agents who intervene and act. Development as practice can thus be seen as deeply implicated in the knowledge-power discourse" (Sanyal 2007: 80). One effect of this construct is to throw the third world into a perpetual state of

'backwardness' and thereby relegating their ways of life, indigenous ideas and knowledge bases into lesser forms of existence. So the only way they could cease to be backward and begin to be developed was by not being themselves. Existences in these parts were hence absolutely disregarded and negated, and the dominance of the West firmly established, in institutions and ideas, and all this in one single stroke: development. "In an act of discursive violence, the dominant form of knowledge obliterates many alternative ways of interpreting and relating to the world around us, many alternative forms of "beings and doings" (Sanyal 2007: 82). Citing Escober, Sanyal argues that development discourse produces the third world as a reality which must be worked upon and obliterates their own ways from the very imagination of what is acceptable and good. Development therefore must be regarded as a complex of power and knowledge, rather than some neutral quantitative phenomenon. A second effect of this development discourse is the growing assimilation the third world into the global capitalist institutions. "'Universal and uniform' property rights and institutions of power are being established everywhere. Capital may not be footloose between the developed and developing economies, but post-colonial capital and post-colonial nation states are increasingly finding themselves subjected to an as-if inescapable "logic of the global market and capital"" (Sanyal 2007: 77). The nationalist movements in the postcolonial parts based themselves on critique of economic exploitation and the need for independent national economic institutions committed to development thereby giving birth to states that were always already led by development discourse.

There is however an important deviation from Sanyal's position in this study. In Sanyal's words itself his position is clear: I*sn't it possible to see capitalism as necessarily a complex of capitalist and noncapitalist production residing in the commodity space? In other words, can't we see capitalist development as process that necessarily produces, brings into existence, noncapitalist economic processes in its own course* (Sanyal 2007:7)? Such an understanding presents the outside of the capital as already been incorporated by capitalist transformations. So, actually, there is no outside the of capitalism. Even non-capital is orchestrated and used according to the needs and demands of capitalist transformations. This study however disagrees with such extraordinary power believed to be borne by capitalist agencies. Rather it is argued here that there is a large part of the economy that has always existed in various forms as parallel and alternative to capitalist practices.

D. Heterogeneity of identities

> *"There is no fixed separation, even in terms of tendency between social classes. The idea of antagonism must be set free from the military and religious metaphor of 'two camps'" (Balibar 1999: 179).*

The fourth trajectory brings us to the critique of the category of class. Marxist ideas of identity have revolved around this category. Class has been ontological and epistemological centre of the entire philosophy of capitalist transformations and revolutionary change. Marx himself establishes this centrality of class identity. In the following excerpts from Capital 1 we can easily find glimpses of the inherent and irreplaceable agency of the class.

> "For 'protection' against the serpent of their agonies, the workers have to put their heads together and, as a class, compel the passing of a law, an all-powerful social barrier by which they can be prevented from selling themselves and their families into slavery and death by voluntary contract with capital" (Marx, 416).
>
> "The maintenance and reproduction of the working class remains a necessary condition for the reproduction of capital" (Marx, 718).
>
> "It is not enough that the conditions of labour are concentrated at one pole of society in the shape of capital, while at the other pole are grouped masses of men who have nothing to sell but their labour-power. Nor is it enough that they are compelled to sell themselves voluntarily. The advance of capitalist production develops a working class which by education, tradition and habit looks upon the requirements of that mode of production as self evident natural laws. The organisation of the capitalist process of production, once it is fully developed, breaks down all resistance" (Marx, 899).

The inherent centrality of class in this discourse is undeniable. It is the ontological necessity of the whole social structure and also serves as the epitome of epistemological knowledge[3]. It is the class in which the changes in the means of production gets reflected and it is through the class that these forces develop. It is also the class and only the class which carries on its shoulders the ability to bring forth the revolution and fundamentally change the social structure of the society. This centrality of class flows from the assumed centrality, dominance, and independence of the

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[3] See Laclau and Mouffe: 'While democratisation of the mass struggle depends upon a proliferation of points of rupture which overflow class boundaries, political authoritarianism emerges at the moment when, in order to ground the necessity of *class* hegemony, a distinction is established between leaders and led within mass movements. If this distinction were based upon a greater practical capacity for self-organisation in the struggle for objectives shared by the entire movement, the consequences would not necessarily be authoritarian. But, as we have seen, it is actually posed in very different terms: one sector *knows* the underlying movement of history, and knows therefore the temporary character of the demands uniting the masses as a whole. The centrality attributed to the working class is not a practical but an *ontological* centrality, which is, at the same time, the seat of an *epistemological* privilege: as the 'universal* class, the proletariat — or rather its party — is the depository of science. At this point, the schism between class identity and the identity of the masses becomes permanent. The *possibility* of this authoritarian turn was, in some way, present from the beginnings of Marxist orthodoxy; that is to say, from the moment in which a limited actor — the working class — was raised to the status of 'universal class' (Laclau and Mouffe, 56).

sphere of the economy. An unhindered self-sustaining exclusive realm of economy automatically creates a homogenous self-identifiable category of class. But the question is, if economy is not the exclusive omnipotent self-sustaining realm, instead is a diverse porous dependent area, as we have already discussed, does class sustain as a homogeneous self-identifiable identity? Can any one form of identity automatically supersede every other form and establish itself as the primary and predominant identity?

Laclau and Mouffe (1985) give a rigorous analysis of the category of class questioning its assumed centrality over other forms of identity. They begin with the very unity of 'political subjectivity and class positions' (Laclau and Mouffe 1985: 12). The problem is the assumed unity of the working class (as a homogenous self-identifiable category) is not constituted outside the 'revolutionary overdetermination'. This is not a simple unity of political and economic subjectivity. This unity 'is' already assumed to be the revolutionary overdetermination. Hence explanation of this unity becomes imperative. Such unity not only lacks an independent explanation but suffers from another problematic assumption. As Laclau and Mouffe discuss, such understanding of class brings together Darwinist natural selection with Hegelian teleology which is 'totally incompatible with it' (ibid: 20). Darwin proves a natural tendency for evolution, for making better with each successive stage. But such an evolutionary process does not follow any fixed path and therefore lack the essential teleology and determinism that a theory of a revolutionary class must entail. Therefore this evolutionary instinct is united with Hegelian teleology which creates the united category of class destined for revolution. "For Kautsky, each class sector occupied a specific differential position within the logic of capitalist development; one of the constitutive characteristics of Marxist discourse had been, precisely, the dissolution of the 'people' as an amorphous and imprecise category, and the reduction of every antagonism to a class confrontation which exhausted itself in its own literality, without any equivalential dimension" (ibid: 63).

The presumption of the unity of the homogeneous self-identifiable category of class creates a false conception of identity which mitigates the essential multiplicity and entangled nature of identity formation. To quote Laclau and Mouffe, such ideas "present a common characteristic: the concrete is reduced to the abstract. Diverse subject positions are reduced to manifestations of a single position; the plurality of differences is either reduced or rejected as contingent; the sense of the present is revealed through its location in an a priori succession of stages" (ibid: 21).

This unity of the category of class and its centrality in capitalist discourses has other historical and theoretical inconsistencies. That, even today, class still does not figure out as the primary social identity in any political context reflects theses problems. “What is surprising is not that there has been so much proletarianisation, but that there has been so little. Four hundred years at least into the existence of a historical system, the amount of fully proletarianised labour in the capitalist world-economy today cannot be said to total even fifty percent” (Wallerstein 1983: 23). The class as a unit has been assimilative of different kinds of social identities and as such can not be regarded as undiversified category. As a considerably newer social identity, it has always predicated upon other identities. “No class organisation, even when it developed a workerist ideology, was ever *purely working class*. On the contrary, it was constituted by the more or less conflictual coming together or fusion of certain ‘avant-garde’ workers’ fractions and groups of intellectuals…No significant social movement, even when it took on a definite proletarian character, was ever founded on purely anti-capitalist demands and objectives, but always a combination of anti-capitalist objectives and democratic, or national, or anti-militaristic objectives, or cultural ones” (Balibar 1991: 171). Social movements, are more often based not on ‘hermeneutically closed classes’, but across them.

Identities are complex, multiple, entangled and hybridised. Gibson-Graham reiterate the same: “Identity, whether of the subject or of society, cannot therefore be seen as the property of a bounded and centred being that reveals itself in history. Instead identity is open, incomplete, multiple, shifting” (Gibson-Graham 1996: 12). Identities are basic spaces for struggle. As such identities fundamentally shape the very nature of the struggles and the resultant social transformations. Any struggle or revolution that bases itself on the presumed unity and homogeneity of one form of identity also shapes a struggle and resultant social structure around the core of that single identity. As a result other identities and the related social inequalities and struggles get mitigated and sidelined. Would such a revolution, unilinear and dominant, bring real change to the social structure? If economy is just another aspect of social existence, would class struggle fundamentally alter the social inequalities? Identities and struggles, instead, must be open and inclusive. They must accept multiplicity and difference, and in Lacalu and Mouffe’s words must be ‘hibrid and nomadic’. Gibson-Graham put such ideas of non-class movements as being inclusive and capable of covering multiple issues and interests. “Nonclass movements of social and political identity (defined, for example, by gender, race, or sexuality) may mobilise politically around their own concerns but the politics of identity cannot alter society's

fundamentally capitalist nature. Socially transformative politics is a politics of collectivity or coalition which is focused on stabilising and ameliorating a capitalist economy or on constructing a socialist one (whatever that may mean) in the macro-social space of the future" (Gibson-Graham 1996: 157).

The agency of unions and organised labour play a vital role in producing and strengthening the class category (which actually thwarts the presumed unity and homogeneity of class category). "Strikes for instance are moments when the presumed class identity is highlighted and made dominant all through the masses bringing them together as one. Strikes have engendered in the proletariat the noblest, deepest and most moving sentiments that they possess; the general strike groups them all in a co-ordinated picture, and, by bringing them together, gives to each one of them its maximum of intensity; appealing to their painful memories of particular conflicts, it colours with an intense life all the details of the composition presented to consciousness" (Lacalu and Mouffe 1985: 40). Unions and parties (Communist) have played this part in different historical epochs. At times of stability, these parties keep the essential class identity alive. Since the European revolution was conceived purely in terms of working-class centrality, and since the Communist parties represented the 'historical interests' of the working class, the sole function of these parties was to maintain the revolutionary consciousness of the proletariat in opposition to the integrationist tendencies of social democracy. In periods of 'relative stabilisation', therefore, it was necessary to strengthen the class barrier with even greater intransigence (ibid: 61). It is for these reasons that trade unions and organised labour have been treated conspicuously by large masses of people. They are part of a definite deterministic order and play their parts well as agents of a certain teleological schema.

Capital in the Outside of Europe

When capitalist institutions developed in the inside of Europe, their drive for unhindered accumulation led them to look for newer avenues in the distant areas. This desperate search for more resources and bigger markets led to the establishment of Europe's colonial domination in the entire world barring few small areas. This section shall deal with the encounter of capital with the variety of socio-economic practices in the numerous indigenous communities across the world. Against the attempts to read European evolutionary history and stages of progression into these variety of communities, it reiterates that what capitalism met with in the different parts of

the world was different forms of economic realities that could not be completely translated into a language that capitalism, or in that context Europe could understand. Non-commodified economic institutions, unalienated relations, non-monetarised exchanges, for instance, not only defied historical disciplining, but also made it very difficult for the 'big boss' capitalism to penetrate these communities. Not only had the idea of singular evolutionary historical time become irrelevant, but the very hegemony of capitalist forces, that seemed omnipotent in a limited context of binarised capital-noncapital economy, lost much of its aura and power in the wilderness of diverse economic existences. The enigma of the 'evil hero' of Europe rooted in essential Eurocentrism now needed some new light. "The theory makes Europe into an 'evil hero' - no doubt evil, but also no doubt a hero in the dramatic sense of the term, for it was Europe that made the final spurt in the race and crossed the finished line first. And worse still, there is the implication, not too far beneath the surface, that given a chance, Chinese or Indians or Arabs not only could have, but would have, done the same - that is, launch modernity/ capitalism, conquer the world, exploit resources and people, and play themselves the role of evil hero" (Wallerstein 1999: 179).

Amidst the labyrinth of different economic forms, the primary act of the colonial administration then became understanding the different forms of socio-economic practices they had come to deal with. Massive attempts were made everywhere by colonial administrators to make anthropological, sociological, historical, political, economic studies of the colonised people and their societies. Alongside these academic endeavours, conscious and deliberate attempts were made, at times through force, at others through law, to destroy the indigenous socio-economic practices and commodify their resources and relations that would fit into the language of capitalist exploitation. Steady erosion of customary laws and practices, and institution of, in their place, monitarised and commodified relations, became a common phenomenon everywhere. Accompanied with this was the denial of the indigenous people any claim to knowledge and agency in history. Jack Goody (2004) argues in this thread and accuses capitalism of not only plundering from the people materially, but also taking away from them their histories and their right to write them. Formulating on historian Braudel's arguments, he accuses western histories for making selective case studies of everyday life habits and reading them into an evolutionary history of capitalism. Perceiving everything from the standpoint of capitalism blinds them from understanding the peculiarities and contextualities of other societies.

As capitalism came to encounter diverse practices, it made desperate attempts to bring some 'order' or 'sense' into the diversities and change them into something it could manage. Neeladri Bhattacharya's (2018) *The Great Agrarian Conquest*, a detailed and nuanced study of colonial policies in Punjab, is an impressive account of British attempts to study the customary practices, translate them into a language of capitalist property-relations and, through these, take ownership of the resources. "Agrarian colonisation could not possibly have proceeded without the creation of spaces that conformed with the needs of such colonisation, nor without the establishment of a regime of appropriate categories - tenancies, tenures, properties, habitation - and the frame work of customs and laws that made such colonisation possible" (Bhattacharya 2018: 1). Bhattacharya writes that everywhere in Punjab customary existence was attempted to be transformed into the idea of property-owning (or non-owning) peasant attached to some fixed land. Attempts at rigorous tenurisation, changing nature of land relations are results of that. "When fixed to a piece of land, peasants became knowable and controllable; their lands could be surveyed, assessed and taxed. Pastoralists were more difficult to control, govern, and extract revenue from… Constituting rural spaces as villages was one way of creating such landscapes of settled agriculture" (ibid: 69). These vigorous drives to transform land relations and introduce fixed tenures, map the areas in entirety and classify into specific categories - all these acts were aimed at a total reboot of the economic relations and installing a capitalist regime in their place. "It was as if a totalising gaze had absorbed within it the entire landscape. Not a patch of grass, not a plot of land remained hidden from this basilisk, its eye leaving nothing unmarked, unnumbered, unenquired, uncatalogued. Every possible knowable detail had been checked, classified, recorded and mapped" (ibid: 75).

Tenurising, mapping and knowing are acts of translation. For capitalism to exploit resources, certain property relations must first exist, commodity production must supersede production for need, communal rights must be replaced by private rights. Quoting British officer Steedman, Bhattacharya writes that "shortly after annexation, it became necessary to fix village boundaries to create private proprietary rights in land where they had never before been recognised, even if, as is very doubtful, they had existed" (ibid: 89). The disparate local laws and customs were difficult to accolade within the capitalist discourse. "An act of translation was necessary to accommodate an order based on custom within the framework of a colonial regime based on written laws. Customary rights had to be translated into legal rights. Old terms had to be translated into new makeshift equivalence" (ibid: 157).

This need for translation led to massive studies of the colonised. Colonial officials studied the local histories, folk tales, leant the languages, songs, poems. They also vigorously studied the customary laws of the socio-economy - communal ownership, inheritance norms, marriages etc. - everything of the life-habits of the people. Bhattacharya notes that by 1880s, in Punjab, five volumes were published on the studies of the customary laws, which, in a decade, rose to eleven volumes. By the early twentieth century, thirty district volumes had come to be published. The stress on custom was used as a means to authenticate the colonial claims. "In the colonial situation, the rhetoric of custom becomes a new language of power and legitimation" (Bhattacharya 2018: 185). "Custom expressed a collective sense of what was reasonable, just, and fair - of what was seen as the collective good. The persistence and continuity of a custom, its temporal depth, reveal the intrinsic reasonableness of the general principles" (ibid: 209).

However, the colonised was not a singular undifferentiated unit. The problem for capitalism was these myriad practices, the labyrinthine socio-economic relations that could not be reduced to one 'non'. Not everything of the customary could be codified or translated. Some practices and norms therefore came to be excluded in the process of translation, subtractions and omissions became integral part of the process. "Codification was also a process of silencing and eraser. Imperial officials defined the terms of validity of custom and the criteria of reasonability and equity; they distinguished between the norm and the exception, between antiquated and living practices. Through their classificatory practices they sought to repress troubling evidence and fixed the meanings of customs in the act of encoding them" (ibid: 218).

Oral traditions were first taken as fluid sources open for interpretations. When textualised, these traditions were given fixed meanings, 'they become frozen into codes'. As customs were authoritatively appropriated by the colonial regimes, customs lost their original collective nature as embodiments of popular memory and knowledge. The binary of textual/oral, fixed/fluid removed customs from people and brought them to the courts of law. "Beneath the regime of codes was the reality of unmodified practices" (ibid: 219). In the later chapters dealing with my field work, such appropriations of oral traditions and the associated marginalisation of certain communities will be taken up in more detail.

In both its colonial and neo-colonial forms, capitalism thus attempts to, firstly, transform economic diversities into the singular language of property and ownership, and secondly,

through these attempts, to increasingly bring to its control he available resources, especially land. This takes different forms in different contexts, but all in some way aiming at commodification and privatisation of resources. As Bhattacharya writes, "tenurial classification was not merely taxonomic exercise of separating out forms and contrasting tenurial types; it was a method of conceptualising the temporal distance between forms" (Bhattacharya 2018: 126). Such drives were almost always initiated or assisted by the state. Wallerstein (1983) iterates that the state, in the context of capitalist expansion, is a constant force. Through territorial jurisdiction, its 'legal right to determine the rules governing the social relations of production', and its power to tax, the state enhanced the project of capitalist hegemony. "Even where one form or another of direct authoritarian control of agricultural activity (what we have just labelled 'plantations') was not substituted for the prior laxer community structure of control, the disintegration of the community structure in the rural zones was not experienced as a 'libration', since it was inevitably accompanied, indeed frequently directly caused, by a constantly growing control by the emergent state structures which increasingly have been unwilling to leave the direct producer to his (sic) autonomous, local decision-making process" (Wallerstein 1983: 102).

Mitchell's (2005) study of World Bank sponsored De Soto's project in Peru underscores the importance of private ownership in capitalist expansion. The Urban Property Rights Project of 2004 in that 'regularisation of property rights' in the urban centres of Peru. "The government and the World Bank believed that creating property owners offered a simple and inexpensive means to end widespread poverty. Holding formal title would enable ordinary people to use their homes as collateral for loans. The loans would provide capital for staring small enterprises, enabling all households to produce potential entrepreneurs" (Mitchell 2005: 299). De Soto's argument behind the project was to 'turn dead assets into live capital' by turning unregulated ownerships into registered property. Studies were made to show upturn in the income generation of the families after regularisation of property. However, interestingly, as Mitchell notes, only the upward urban slums were chosen for the project. For example, in Lima, the project was implemented in 501 centres out of 710, whereas in Huancayo, a conflict prone and poverty ridden district, no urban centre out of its 600 saw the implementation of the project. The forced attempts at regularisation of property were actually, he argues, 'answer to the more radical property redistribution programs of the revolutionaries' (ibid: 312). It also portrays one form of economic practice - one of capitalist ownership - as modern and developed. "It assumes that a world without formal property rights is anarchic, and that once the proper rules are in place a natural spirit of self-

interested endeavour will be set free. It derives its plausibility more from the reader's familiarity with certain texts in economics than any knowledge of informal communities" (Mitchell 2005: 310). It also assumes that all the informal urban communities of the cities of Peru are alike and a single project will deal with all their problems, thereby conveniently overlooking the internal and local specificities and differences. In fact, these communities indeed showed a surprising spirit of community (surprising for urban centres) that defied the idea of liberal individual and her private ownership. "Peru's informal urban communities are described as having very strong collective organisations and a great variety of neighbourhood mutual-help arrangements. Typically a squatter neighbourhood was formed by a single village, whose members would plan their relocation collectively in advance, allocate each family a building plot and reproduce the communal associations of the village in the new location" (ibid: 309). The attempts of regularisation of private property rights, like the colonial attempts at mapping and tenurisation in Bhattacharya's study, are acts of incorporating diverse socio-economic communities into the direct control of the state, which have otherwise remained outside its immediate command.

In a comparative study of land alienations in Africa, Asia and Latin America, Porro (2010) writes about how commodification and privatisation of land have been the primary agendas of neo-liberal regimes. "Neo-liberal policies allowed new readings on land as a commodity and reinforced the expansion of land markets through privatisation. Privatisation of land and its extensions - forests, minerals and water resources - made profound alterations in local contexts" (Porro 2010: 275). In the same study, Scott et all (2010) note considerable decollectivisation of land in Vietnam since later 1980s. Collectivisation of agriculture enabled both women and men to have freedom in work and be economically independent while being active members of the community. "The modernisation of Vietnam's land administration system, through clearly defining boundaries and issuing long-term land use right certificates, reflected the objectives of market-oriented land reforms that are characteristic of economic globalisation" (Scott et all 2010: 231). In Brazil, popular movements in Centrinho in the state of Maranhão against land grabbers led to the formation of many local associations and cooperatives which further led to inter-state organisations like ASSEMA (Association in Settlement Areas in the State of Maranhão) and MIQCB (Movement of the Women Babaçu Breakers).

A similar study of rural movements was made in 2005 named 'Reclaiming the Land'. Taking from Mamdani's (1996) idea of 'decentralised despotism', Bernstein (2005) writes that in Sub-Saharan Africa, most of the hinterland and the countryside was kept under the authority of

'particular tribe' and their 'customary laws' by the colonial rulers. This is an interesting case because while the option of the tribal chiefs were substantially subordinated in relation to the colonial state (in taxation, labour recruitment for military and public works), their position, on the other hand, saw tremendous elevation in relation to common masses. This, after all, led to a more hierarchal and feudal society replacing a more egalitarian one. In Ghana too, Amanor (2005) writes that an alliance between the traditional rulers and colonial administrators were launched whose legitimacy was forged through newly codified laws. "This also entailed a new framework of land administration. Trusteeship over land came to be vested in paramount chiefs, while farmers retained only user rights to land" (Amanor 2005: 103).

In Malawi, Kanyongolo (2005) writes, the state initiated a number of land acquisition and reform measures, since the colonial era, which aim at 'creation and maintenance of a capitalist economy'. "The acquit ion of the land by colonial settlers generated new forms of property relations, which, in turn, led to a reconfiguration of local economies. The most immediate impact of this development, particularly in the Southern Region where most settlers were located, was that it converted substance farmers, whose land had been transferred to private owners, into labour tenants" (Kanyongolo 2005: 121-2). Where in Latin America land reform initiatives had come from local revolutionary pressure, Malawian reforms primarily came from above with the objectives of 'deracialisation and individualisation of titles'. This was done through various parliamentary enactments. Similarly, in South Africa, Sihlongonyane (2005) notes, land alienation of the indigenous communities took place continuously in the colonial period. "Over a period of several centuries, European imperialist agents, including white merchants, missionaries and settlers, incrementally annexed Africa and alienated land from its indigenous inhabitants" (Sihlongonyane 2005: 144). Racist segregation of this kind continued to increase even after its independence in 1912. Laws were enacted to deprive indigenous people of their rights to their lands. "The Native Land and Trust Act of 1936 provided for the restrictions of blacks in land ownership, and substantial areas were added to the reserves that had previously been defined in the 1930 Act to eliminate various forms of black tenancy that occurred outside them" (ibid). An instant of such alienation can been seen in the problems of Kwa Zulu-Natal. Here, "about 13% of the land was allocated to 700,000 Africans, as against 87% to Europeans. The province experienced 165 black spots by 1950; 97,000 people were removed from the Bantimstans between 1960 and 1970, and even more in the 1980s" (ibid). Recent socio-political developments in South Africa have seen many land struggles emerging Sihlongonyane

underscores the local and grassroots nature of these movements and stresses the need to reiterate the differentiated nature of customary socio-economic practices and the consequent need for dynamic nature of struggles instead of a 'blanket strategy'. Segregationist politics of this kind can also be found in the direct and indirect colonial rule in Zimbabwe, Moyo and Yeros (2005) note. However, land reforms here were led by urban groups and war veterans which led to substantial gaps between policy making and local demands, in spite of the efforts put into it. Land occupation movements have also emerged in Asia, especially Vietnam (also China) which put the marginalised rural poor in direct confrontation with the state. Aguilar Jr (2005) states that these movements are acts of reclaiming the lost customary command over land of the indigenous communities, largely outside the realm of the state. "From the peasant actors' point of view, these land occupations May be an enactment of what James Scott (1976) calls the moral economy of the peasant, conjoined with the fact that the state's claim May not be seen as legitimate, or with indigenous concepts usufruct rights to open space belonging to no one but nature. Utilising state land May be deemed defensible because of the moral imperative of subsistence ethic. Nonetheless, these acts occur outside the formal structures of legality, and May be construed as acts of opposition against the social order established by hegemonic classes" (Aguilar Jr 2005: 212).

Such traditions of common ownerships of resources have been prevalent in other parts of Africa as well. Pansewang (1983) writes that land had been considered, amongst the indigenous communities of Ethiopia, as a 'precondition for human life' and therefore had been maintained as a communal asset. The collective lives of the communities were considered to be the communal responsibility of all. "Distinctive to that era, however, was the emphasis on equilibrium of control over resources and on collective responsibility for communal well-being; this was true for both agricultural and pastoral communities" (Pansewang 1983: 15). In the Northern Ethiopia, which has been home to Amhara and Tigre tribes, land was owned collectively by community under a system called the *rist*. Though the Church, the emperor and the nobility were dependent on the produce of these lands, they could hardly demand any claim over it (with the limited exception of the Church). In Southern Ethiopia, on the other hand, which was largely inhabited by nomads, these institutions did not even feature until the end of the 19th century with the establishment of the Ethiopian empire. Colonial anthropological scholars like Allan Hoben (1973), attempted to explain these ownership patterns in terms of ancestral heritage of a single father (patriarch named *akni abbat*). "Apparently, this formulation was for Hoben simply a

device to insert the European concept into the framework of his analysis, in view of the conspicuous absence of any legal function which could be associated with any ownership" (ibid: 22). With the establishment of a single empire under Menelik, and specially later Haile Selassie, centralised economic norms were gradually introduces into these autonomous communities, as a result of European influence. Gradual centralisation, introduction of modern banking, privatisation of land ownership, moving of the *gult* lords to urban centres — all these transformed the personalised socio-economic relations of mutual dependence and responsibility into commodified impersonal norms. One good instance of such a transformation was the traditional feature of the *rist* system called the 'woled aged'. Here, land served as security in return for some debt, which the community could at any time reclaim. "'woled aged' was therefore not so much a collateral as a gesture from the debtor to indicate the depth of his commitment to repay the debt. He (sic) signified his commitment by offering the most precious symbol of his dignity as a free peasant and member of his culture and community — with land" (ibid: 63). Introduction of a capitalist economy into these varied economic practices shook the very foundation of the customary socio-economic realities and changed them into mere means of capitalist appropriation. "With the introduction of monetary transactions, 'woled aged' became a means to convert *rist* land to private property" (ibid). All these developments later led to many social movements for land. The 1966 student movement which changed the political regime in Ethiopia came with the slogan 'meret be arrashu' or Land to the Tiller. The following Land Reform Proclamation of 1975 and the reforms associated with it demand much critical analysis which is outside the scope of this study. The important thing to note here is the incessant attempts of the capitalist forces at subversion of the variety of egalitarian socio-economic customary practices.

Colonial rule in Africa was accompanied by the 'most rapid and comprehensive grab of Africa's land in history', Cotula (2013) writes. By using the myth of 'vacant lands', colonial rulers acquired vast tracts of land. "In colony after colony, legislation vested ownership of vacant lands with the state or an institution representing it" (Cotula 2013: 17). The vacant lands were identified as unproductive land, not because they were not used, but because the indigenous ways of land use were treated as 'unproductive and backward' thereby depriving the rural people of their own lands. Customary laws the vested lands with the community were now replaced by modern laws that gave lands to the state. In Mozambique, Cotula instantiates, all land is owned by the state. In Mali, private ownership is the primary form of land ownership. Tanzania land

reforms saw loss of much common lands (20% general land). “The legislation that regulates land relations in Africa has greatly evolved over the years. But important features remain profoundly influenced by the colonial experience, particularly with regard to the extensive role played by the state in land relations, the varying but typically limited protection of local land rights, and the legal devices that facilitate access to commercial operators” (ibid: 182).

In case of India as well, to take and example, changing land tenures in Kerala show the urgency with which British colonial administrators tried to infuse a privatised system of ownership thereby creating a land owners’ class. Varghese (1970) writes that the British seemed to have two primary goals land policies in Malabar. “Firstly, the aim was to take a large share of the agricultural pride as land revenue. Secondly, while achieving this and, they were also interested in creating and recognising a few superior right-holders in land who would then act as British agents in the region (Varghese 1970: 22). Like in the African and Latin American cases, the British misread and misinterpreted the customary land practice sand transformed them into individuated private ownerships here. “They tried to introduce British ideas and concepts of land-rights into the region, and started interpreting and enforcing these alien ideas through their judicial machinery” (ibid: 29). These new land relations ‘shattered the old customary land system’ and were aggressively guarded through legislations, codes and revenue settlements. Nitya Rao (2008) in her study of gender land relations in India, notes that customary socio-economic practices were dubbed by administrators as ‘backward’ and ‘impediment to development’. Even in the post colonial era “state laws and policies are then constructed in opposition to ‘tradition’, failing to recognise their elements of pragmatism and responsiveness. It is widely acknowledged that ‘custom’ itself was invented as a response to colonial rule and policies in most parts of the world” (Rao 2008: 112). Citing the *hue* of the Santhals, she writes that these local indigenous struggles are rejections of capitalist appropriations and celebrations of indigenous egalitarian relations. Collective existences of the communities are reiterated. As the drive for privatisation constantly grows, displacements, struggles and apprehensions continue to increase. “Ambiguities remain and the symbolism of land in relation to life itself has become a major site for contestation and resistance” (ibid: 110). But the local sites of struggles, like the Telangana peoples’ struggle (1946-51), Thanjavur movement (1950-60s), Tebhaga movement in Bengal, Chhatra Yuva Sangharsh Vahini in Bodhgaya (1970s), Women’s Front or Mahila Aghadi of the Shetkari Sangathana (Maharshatra, 1980s), she writes, shall continue to be the real ground, where capitalism’s hegemony is rejected and the indigenous diversities are kept alive.

All these instances are not exhaustive. To delve into the enormous amount of literature on colonial dispossessions and peoples' movements is beyond the scope of this study. What these very selective instances are meant to do is to show, even if partially, the immense variety of customary socio-economic practices prevalent among indigenous communities all across the world and the inherent multiplicity they offer to the economic sphere. Capitalist forces have always stood at discomfort when encountered with these. Desperate and forceful attempts, therefore, hence have been made everywhere to reconstruct these customary laws and instate in their place commodified privatised property relations. Land being the primary economic resource, such drives can most clearly be found in land relations. The state has been a constant aid in these capitalist transformations. "As far as white settlers were concerned, then, the state initially monopolised allocation of the means of production. As far as indigenous population was concerned, the colonial state expropriated their lands in principle from the first landing at Sydney Cove" (Mcmichael 1984: 41). Mcmichael further states that "the imperial ideology of a European right to the land obtained material force through the capricious acts of vengeance by white settlers against the indigines, whether they were actively resisting or not… Because the aboriginal society had no concept of property consistent with the bourgeois concept of alienable property (land, labour or capital), juridical recognition of aboriginal right was necessarily and conveniently excluded" (ibid: 42).

Taking off from the divergent understanding of economy presented here, the next chapter deals with the socio-economic history of Assam that is critical of the capitalocentric Western-biased perspective of progression and modernity.

CHAPTER 3

ASSAM: HISTORICAL BACKGROUND

This chapter presents a historical account of the area that constitutes present day Assam. It is divided into two primary sections.

The first is a historical account of the region that tries to bring forth the distinctiveness of its historical experiences and diversities of its socio-economic milieu.

The second section discusses in detail the customary practices surrounding land and labour in Assam. Here, I also attempt to offer a counter argument to the prevalent accounts on Assam that assumes the materialist historical progression from tribal to capitalist society as already existing in Assam, making it yet another case of singular and unilinear history.

Background

Assam is a land of multiplicity. And as such it has a myriad of histories. Historically known as Kamrup or Pragjyotishpur, the histories of the communities of Assam are those of co-existence and integration. Most of the indigenous communities of Assam do not have traditions of written chronological histories. But their rich oral histories and various trajectories of these give us a fair picture of the past. The oral narratives of most of the indigenous communities date back to 2000 - 3000 BC. Ancient mythologies of *Ramayana* and *Mahabharata* also have references to the people of these parts. They have been mostly mentioned as *Mlecch*, *Kirat* etc. However, these occasional references are neither historically very significant nor culturally very inclusive. Over time, since about First Century AD, gradual influx of Aryan population also began to take place. The processes of cultural amalgamation and integration have been incessantly at play in the social fabric of Assam. Out of this admixture and integration was born the idea of Assamese nationality. B. N. Puri in his 1969 Banikanta Kakoti Memorial Lecture, compares ancient Assam to a museum where different communities co-exist.

The earliest inhabitants of Assam are believed to have come from Austric and Mongoloid civilisations. These people came at different points of time and integrated with one another to the extent that they can be said to be inseparable. Austric languages today largely survive among the Khasis and the Jaintias. According to Bishnu Rabha, the Mikirs were of Austric origin and they were the first of inhabitants of Assam; they were what he called the "discoverer Columbus" of Assam (Rabha 2008: 938). But many others also claim people of Negroid origin to be the first settlers of the region (Gait 1926, Barpujari 2007). However, it is now widely accepted that the people of Austric and Dravidian origin were the most ancient settlers of Assam. Over time people of Mongoloid origin began coming into these lands in large groups. These people from different origins assimilated and integrated into one another paving the path for the emergence of new indigenous identities. Since the first century AD Aryan population also began to migrate into the vast terrains of Assam. Its aboriginal indigenous people openly accepted the new entrants. Processes of assimilation and integration with the Aryans also progressed to considerable length. 'Yet, at the same time, the numerous indigenous tribes and communities have also maintained and protected their communal and tribal identity and independence with silent yet relentless resolution all this time; any event so profound as to wreck this independence of these various communities never took place or was never created. Assam has remained the eternal "museum" it always was' (Gogoi 1992: 3). Robinson, too, had asserted this, and wrote that, "though the Assamese have been said to borrow the outward forms of life from the Chinese and Hindus, they are not schooled into that mechanical routine of observance, which is prevalent in these countries. Much greater freedom prevails in the intercourse of society; they are quick, lively, and stirring, and in general appear to be an intelligent people" (Robinson 2014: 255).

The larger section of people to have come and settled in Assam belong to Tibeto-Burman and Mongoloid origin. They largely followed two routes to reach Assam. One section came from the north-eastern frontier. The other took the way from Tibet via Ladakh via the Himalayas. It is believed that Tibet was earlier popularly known as 'Bod' and hence the earliest of the inhabitants of the region came to be known as the 'Bodos'. The Bodos, in time, became the most influential community and occupied the larger part of the plains of the Brahmaputra valley, North Cachar, Garo Hills, the eastern frontiers of Bengal and Bihar, and areas bordering Tripura-Bangladesh and Mymensingh. According to S. K. Chatterjee (1955), even with the influx of Aryan population with their Sanskritised languages and cultures, Hinduisation of the Bodos and the other tribes did not take place in any considerable extent. "When Hiuen Ts'ang visited Assam, the Aryanisation in the

language of the Bodo masses of Assam does not appear to have progressed much. The notable remnants of Bodo speech in last parts of Assam at the present day, both to the North and to the South of the Brahmaputra, and as far West as north Bengal, as well as in Tripura and east Bengal, would show that a thousand or twelve hundred years ago, Assam was, except for its upper classes and Brahman and other settlers from Bengal and Bihar, very largely Tibeto-Burman (Bodo) in speech (Chatterjee 1955: 34). The numerous other indigenous communities of Assam, like the Kachari, Mechh, Garo, Lalung (Tiwa), Rabha, Chutiya, Koch, Mishing, Moran, Borahi etc are branches of this very community. The Mizos also can be traced back to this Bodo ancestry. Over time, spatial and cultural variations established these people as independent tribes and communities.

On a different trajectory, there has been no specific time and pattern of migration of the Aryan population into Assam. The earliest wave of Aryan migration into Assam is believed to have been taken place, as has been already mentioned, somewhere around the first century AD. “Hindu priests and warriors undoubtedly found their way to Assam at a very early date. The Indian king Samuda, who, according to Forlong, was ruling in upper Burma in 105 AD, must have proceeded thither through Assam (Gait 1926: 9). B. N. Puri writes, “with its richness in wood and some plants in the hilly tracts of Kamrup, Assam attracted members of Brahman community in large numbers, and it came to be known as the land of sacrifices” (Puri 1969:7). Gait continues to assert that in spite of influx of Sanskritised elements into the heartlands of Assam, Hinduisation remained limited and confined among the indigenous peoples. “They (the Hindu settlers) would not interfere with the tribal religious rites, as to do so could call forth the active animosity of the native priests; nor would they trouble about the beliefs of the common people, who would continue to hold their old religious notions” (Gait 1926: 10).

I. HISTORICAL DEVELOPMENTS IN ASSAM

The Ancient Kingdoms

According to Gait, ancient Assam has considerable references as Pragjyotisha in the Mahabharata, and as Kamrup in the Puranas and the Tantras. Kamrup was mentioned in Mahabharata to have stretched from the Bay of Bengal in the South to river Karatoya (a first order river then, whose streams now form Tista, Kosi and Mahananda) in the west. Kamrup was believed to have centred

around the Kamakhya temple in Gauhati as has been referred to in the Kalika Puran. Vishnu Puran claims Kamrup to have extended to 450 miles (100 yojanas) in all directions from this temple which would encompass the entire territories of present-day Bangladesh (East Bengal), Assam and Bhutan. According to Jogini Tantra, the kingdom was bordered by Kanjagiri mountains in the north, the confluence of Brahmaputra and Lakhya rivers in the south, the Karatoya river to the east, and Dikhu to the west. The whole kingdom, it says, was divided into four parts or *piths*: *Kampith*, *Ratnapith*, *Suvarnapith*, and *Samarpith*.

Gait also gives a detailed account of the early known references to ancient rulers and people of Assam as have been found in various mythological accounts. The earliest known ruler of the kingdom of Kamrup is called Mahirang Danab. He was succeeded by Hatak Asur, Sambar Asur and Ratna Asur respectively. A later ruler in this line of is known as Ghatak. He was a well known and powerful ruler of the Kiratas. Ghatak was defeated and succeeded by Narak Asur. Narak Asur is an oft mentioned hero in many Puranas and Tantras. He is known to have established the capital city of Pragjyotishpur (modern Guwahati). It was he who popularised the worship of Kamakhya. Narak over time began to alienate himself from the Hindu religion which is said to have displeased Goddess Kamakhya, Vishnu and others. Later, he was to be slain by Krishna after a fierce battle. His son Bhagadatta succeeded him as the ruler of Kamrup. Bhagadatta is known to have fought valiant battles alongside Duryodhana in the Mahabharata war and as such has been widely mentioned in the scriptures. References to these rulers of Assam as *Asura* and *Danab* lead us to believe that they must have been of Tibet-Burman and Mongoloid origin. It is important to note here that people of non-Aryan origin were discriminately designated with such nomenclature signifying the essential hierarchical and exclusive nature of Aryan Sanskritised chronicling. “It is impossible to say to what race this dynasty belonged, but the use of the appellation Asur shows that they were non-Aryans” (Gait 1926: 14). The descendants of Narak ruled Kamrup for nineteen more generations.

At the time as Narak ruled over Kamrup, there flourished another powerful kingdom of Sonitpur (now Tezpur) ruled by the legendary king Bān. Bhagawat and Vishnu Puran describe at length king Bān’s rule. Oral narratives of many indigenous communities also bear rich accounts of his rule. Ban’s forts and his capital city were exquisitely planned and built. Its ruins can still be found in the city of Tezpur. Legends go that Krishna’s grand-son Aniruddha fell in love with Bān’s daughter Usha who was known far and wide for her beauty. With the help of Usha’s friend Chitralekha (known for her skills in art), Aniruddha entered the guarded palace of Usha and both entered into

secret marital ties (Gandharva Vivah). Then Aniruddha was held captive by Bān. On knowing about these events, Krishna attacked Bān's kingdom with a strong army and a fierce battle was fought. Bān defended valiantly with the aid of his lord Shiva (the battle therefore came to be known as Hari-Hara Yuddha), which, however, ultimately Bān lost. Narratives about the subsequent developments take different forms. One of these leads us to ancient Tiwa chronicles, both oral and written, which shall be taken up in the fifth chapter.

Following Narak and Bān, a Kshatriya ruler called Dharma Pal is known to have ruled from western Guwahati at a later time. During his rule, many Brahmans and high-caste people came from upper India and settled in these areas. He was succeeded by, as Gait informs us, Padma Narayan Chandra, Narayan, and others. The last in this descent was Ram Chandra who ruled from Majuli. It was from him that Arimatta's rule began (this has been dealt with further details in a later chapter). Gait asserts that many of the kings of Assam of this period added the popular title Pāl to their names as a matter of vogue, and cannot be in any way associated with the Pal kings of Bengal.

The integration, as can be seen, of different communities, languages, and cultures took place very gradually at different levels and at different points of time. Hiren Gogoi (1992) writes that the migration of Aryan population into Assam, and the Sanskritised Hindu life-style that they carried with themselves, introduced into the tribal communities new ways of life. They had transformative effects on the local indigenous cultures and languages. But, on the other hand, the Aryan Sanskritised culture, in turn, was also transformed and altered by the egalitarian open societies of the tribal communities in an equally profound manner. The cruelties of the Sati system, for instance, never could be introduced in these parts. The barbaric hierarchical practices of the the caste based society too never could settle among the freer tribal communities. The non-Aryan assimilation into the Aryan social structure was neither complete nor thorough. The pre-Ahom Assamese society (before thirteenth century) could not build the socio-economic context essential for any complete assimilation. Largely, the non-Aryan and Aryan people of Assam, coming here from two opposite directions, socially and psychologically remained two independent communities. Introduced into the tribal context of Assam, the Aryans had to give up much of the orthodox hierarchies of the Sanskritised Hindu society, yet it could not become open and inclusive enough to accept and be accepted by the open and largely egalitarian societies of the tribal people. "The rigour of caste hierarchy and social stratification observed in the rest of India are noticeably without a traditional edge in Assam. In short, a purposive and successful tribe-peasant relationship in Assam is as old as the story of the growth and development of the culture and civilisation of Assam" (Goswami 1967:

79). The indigenous rulers of Assam, on the other hand, could not sustain any long, unified rule that could build a stage for any such comprehensive socio-cultural assimilation. In Assam, a Hindu kingdom was never established, nor did it ever become a part of any larger Hindu kingdom or nation. The numerous autonomous tribal communities of Assam could maintain their independent indigenous identities, for the better as we can see. Andrew Cole summarises this diversity well. "Assam is never likely to be as homogenous as other provinces. They are far from being a single people such as can be found in many equally large or larger areas in India. But this great collection of peoples, in hills and plains, have been set in a particularly well demarcated corner of the world and their welfare will depend on their proving to be able to live together. Assam should look to her diversity and to her capacity for toleration, which is greater than that of other provinces, to provide her strength" (Cole 1945: 47).

The Coming of Huien Ts'ang and the Subsequent Developments

Huien Ts'ang, a Chinese pilgrim, who visited India in the seventh century AD, provides us a comprehensive account of the socio-political context of Assam of this period. "Apart from what he has recorded and from one incident mentioned in Bān's *Harsha-Charita* and another in the story of a Chinese invasion of Tirhut, our knowledge of Kamrup prior to the end of twelfth century is confined to the information contained in the inscriptions on certain ancient copper-plates and on a rock on the bank of Brahmaputra, near Tezpur" (Gait 1926: 22). Huien Ts'ang visited Assam during the reign of king Bhaskar Varmā who was a contemporary of Harsha Vardhana. He had come to study Buddhist philosophy at Nalanda, when Bhaskar Varmā sent him an invitation through his messenger to visit his kingdom. Huien Ts'ang described Kamrup as a country of about 10,000 li (about 1700 miles) in circuit, and the capital as about 30 li. The land was low, but was rich and regularly cultivated. He described the people as "simple and honest. Their nature is very impetuous and wild; their memories are retentive and they are earnest in study" (ibid: 26). He also describes the king as Hindu, yet prevalence of Hinduism among the masses was found questionable. "To what extent the common people had come under the influence of Hinduism is uncertain, but it was the religion of the court" (ibid: 26).

The next known rulers came from the community of the Mlechchas who ruled for many generations beginning with their first chief Sāla Stambha. After this followed the dynasty of Pralambha who is said to have begun his rule from 800 AD. Most of these rulers, Gait writes, were undoubtedly of

aboriginal non-Aryan origin, and later converted to Hinduism when they rose to power. “The Brahmans procured for themselves protection, favour and power by inducing aboriginal chiefs to enter into the fold of Hinduism on the fiction that they are descended from some god of Hindu pantheon or some potentate in Hindu mythology” (Gait 1926: 31). The last successor of this dynasty, Tyāg Singh, died childless in about 1000 AD. The people, in an attempt to reinstate one of Narak’s descendants as ruler, chose Brahma Pāl who then became the king. His son Ratna Pāl established a firm and well-ostensive kingdom, and the dynasty ruled for few more generations in peace and prosperity.

Towards the end of the twelfth century, there began a series of attacks and invasions from the newly ascended rulers of Bengal who also happened to be quite different in their culture, religion and rule from the people of Assam. All these early invasions: Muhammad Bakhtyar Khilji (1198), Ghiyas-ud-din (1227), Ikhtiyar-uddin Yuzbak Tughril Khan (1257), Muhammad Shah (1337), were confined to economic plunder. Each of these attacks was successfully defeated by the indigenous chiefs and rulers of that time. Below is a very brief account of some these communities and their kingdoms.

The Koches:

The Koches belong to a Mongoloid race with close association to the Mlechchas and the Garos. “The Koches are a branch of the Tibeto-Burman people or of a greater family called Indo-Mongoloid; therefore they are akin to the Kacharis, the Tippers, the Garos, and the Rabhas etc. They came into contact with the Hindu world long before in the early centuries of the Christian era” (Rajkhowa 2001: 6). As such they are one community which came closest to the Hindu fold. The progenitor of the Koch kings, a resident of Goalpara and the recognised head of the twelve leading Mechh (Koch) families was named Hariya Mandal. Though the Koches had inhabited for a long time, it was under his leadership that they began to organise themselves into a kingdom in the lower part of the Brahmaputra valley and the northern part of the present-day Bengal. His son Bisu, with his valour and courage, established a strong kingdom in (about 1515). On becoming the king, Bisu became a patron of Hinduism and adopted the name Biswa Sinha. “The period between the time of Bisu, and his great-grandson Prikrit, seems to have been the only period when the learning of the Brahmins flourished in this province” (in Barpujari 2007 Vol II: 371). When Ahom political power began to grow, Bisu pragmatically accepted Ahom sovereignty, though, this relationship altered

frequently. He was succeeded by yet another capable ruler Nara Narayan, whose rule lasted for long 47 years till 1587. He led the Koches to vicotry in many battles against the Ahoms, ruling over the upper parts of the Brahmaputra valley. These battles, however, for a long time averted the possibility of a greater political alliance in Assam. His general, Chilarai, is known in history for his bravery and novel war tactics. The Koches not only won over the neighbouring kingdoms of jaintia, Tripura, Sylhet, and the Khasis, they also successfully thwarted for a long time the invasions made by the rulers of Bengal. "A period of more than 350 years of warfare waged by Mohammedan Bengal with Kamrup and Koch Bihar in the North east frontier of India, motivated by adventure, greed, political ambition, territorial gain and religious zeal, did not produce any permanent results" (Barpujari 2007 Vol II: 87). Koch power, after Nara Narayan, gradually began to dwindle.

The Kacharis:

One of the earliest known inhabiting communities of the region, the Kacharis, are also known as Mech or Dimasa. They are linguistically and culturally akin to the Lalungs (Tiwas), Morans, Chutiyas, Garos and Tipperas. Like most of the indigenous communities, Kachari histories live mostly through oral narratives and their references in other contemporary chronicles. The Kachari kingdom was situated on the south bank of Brahmaputra which lay to the west of the Chutiya kingdom in the extreme east and which extended as far as Nagaon. Though not abundant historical records are available, the Kacharis are known to have maintained an independent state as long as early nineteenth century. As the Ahom might began to grow and expand, the Kacharis were confined to the areas around the Dhanshiri river, and later, under the pressure from the advancing Ahoms, they had to retreat to the Maibong area. These developments took place around mid sixteenth century. Later on, the Kacharis got further shifted to the Cachar plains. The remnants of these cities bear evidences of the extant of civilisational development the Kacharis had achieved.

The Chutiyas:

Gait writes that the Chutiya rulers held their country to the east of the Subansiri on the north bank of Brahmaputra and the Disāng, barring a small area in the south and south-east which was primarily inhabited by small independent Bodo tribes. The Chutiyas belong to a greater Bodo-Kachari origin. Different cognate groups make up this community. Their territory extended well to

the north of Brahmaputra which they ruled autonomously from the thirteenth to the sixteenth centuries with Sadiya as their capital. They are known to have ruled for eleven generations. Their last ruler Nitya Narayan or Nitipal was killed in a battle with the Ahoms, and their territory was annexed in 1523.

The Bāro-Bhuyans:

The exact origin of the Bāro-Bhuyans are not easy to be decisively ascertained. According to Barpujari (2007), the Bāro Bhuyans did not belong to any single ethnic origin. The word bhuya or bhuna is associated with a group of land owners. "The word "bhuya" or "bhuiya" has nothing to do with caste, but is merely the Sanskrit equivalent of the Persian word "zamindar"' (Gait 1926: 38). As mentioned in Akbar-Namah and Ain-i-Akbari, the tradition of Baro-Bhuyan is very specific to Assam and Bengal. According to Barpujari (2007), the Bhuyans worked as the power balancer in the region.They held their territory to the west of both the Chutiyas and the Kacharis. They were situated largely in the mid-territory of Assam. Each Bhuyan functioned in more or less independent manner. But they tended to ally with each other against common enemies. "Whenever there was a powerful king in Kamrup, the Bhuyans would offer him their allegiance; and they would withdraw it again when a weaker prince came to power" (Barpujari 2007 Vol II: 64).

The Coming of the Ahoms

The Ahoms came from the Eastern Asian Kingdom of Pong. They are of Shan origin both in their appearance and language. They refer to themselves as Tai from South East Asia, meaning of 'Celestial Origin' (Gait 1926). The Shans are believed to have been indigenous to the state of Mong Mao, which is now the upper part of Burma. Though narratives of their coming into Assam date back to eighth century AD, it was under the leadership of Sukapha that they are known to have reached Assam and established themselves in ways that would change the entire course of political history of Assam while keeping its social fabric unharmed, and to a large extent, unaltered. The Ahoms came not as invaders, they came in search for a home, and a home did they make where they settled, and totally integrated with and adapted themselves to the already existing natives of the region. "The Ahoms did not impose their religion on the people of the Brahmaputra valley when they began their rule. On the contrary, the rulers accepted the religion of those over whom they

ruled. The explanation could be found in various facts of medieval tribal life but certainly not in the fact that the Ahoms did not have a religion" (Singh 1987: 54). The Ahom rule therefore has been termed as an example of 'ideal form of secularism' (Sharma 1986). "Although the Ahom kings maintained the religion of their ancestors, *Khunlung* and *Khunlai*, they did not adopt any religion as state religion. They regularly worshipped *Chung-Cheng* or Somedeo. But they were free from any sense of religious bigotry. A theocratic state was not their forte" (Sharma 1986: 44). They recognised and gave space to different schools of religious thought. They also encouraged scholarship in Arabic, Parsi and the Quran, along with different Hindu sects and indigenous practices, and gave honoured places to the Muslims in their administration. "An Ahom policy of incorporating the tribal chiefs and nobles in their community by free association and unreserved social intercourse, laid a solid foundation for a still wider assimilation in the process of which the Tai group of incoming population lost its identity like many others who either preceded or succeeded the Ahom by voluntarily accepting indigenous Assamese tongue which subsequently became the lingua franca of all groups that constituted the Ahom kingdom" (Goswami 1967: 72).

Sukapha travelled for about thirteen years with eight nobles and nine thousand men, women and children, until he arrived in Assam in 1228 AD. In 1253, after wandering for over a large area, he established his kingdom centred around Charaideo, 'where a city was built amid general rejoicing' (Gait 1926: 78). He established a kingdom in the valley of Brahmaputra 'on a very strong basis which lasted without any break for six centuries' (Barpujari 2007 Vol II: 53). "The conquest made by Tai-Ahoms was not an invasion but gradual and peaceful penetration without causing displacement of the local inhabitants" (ibid).

The Ahoms established themselves at largely what are now Shivsagar and Dibrugarh districts bounded by *Buri Dihing*, the Brahmaputra, *Dikhow* and the Naga Hills. The Ahoms assimilated with the then inhabiting tribes of these parts, the Morans and the Borahis, with 'friendship and goodwill'. Following this, the Tipam chiefs were won over by Ahoms. For some time the Ahoms continued to pay tribute to the Mong Mao chief. This tie loosened over time and in 1401 Ahom king Sudangpha (Bamuni Konwar) fought a fierce battle leading to the fixation of the Patkai Hills as the border between the two kingdoms, and the Ahoms declared their sovereignty. In the subsequent years, Kamata (Kamrup) accepted the Ahoms' terms and established marital alliance with them. The Chutiyas, after long struggles, were brought under the Ahom sovereignty in 1520. The Kacharis continued to fight the Ahoms and, finally, after many violent as well as diplomatic exchanges, by 1493, confined themselves to the West of Dhanshiri river (present Golaghat district). In the course

of time, the Ahoms extended their rule upto lower Assam and established an extensive, strong and centralised rule in Assam until the advent of the British colonial occupation.

The Ahoms along with other indigenous tribal kingdoms of Assam had to constantly fight the invasions of the Mughal army. Koch Bihar was the gateway for Assam's contact with Mughal India.The Ahom-Koch conflict made Mughal's alliance with the Koches frequent and easy, thereby, opening up the interiors of the region for outside aggression. By 1581, the Koch kingdom was partitioned into two parts. The western part with its capital in Kamatapur was ruled by Nara Narayan's son Lakshmi Narayan, who allied with the Mughals. The eastern kingdom upto Bar Nadi, known as New Kamrup, was ruled by Chilarai's rebel son Raghu. He aligned with the Ahoms. When Jahangir succeeded the Mughal empire, an invasion was launched against Assam under his Bengal viceroy Islam Khan. Koch Bihar was annexed without much resistance in 1609. This led to the subsequent annexation of Kamrup in 1613 after a nine-month long ferocious battle. The result was the loss of the western frontier of the North-East to the Mughals. Ahoms now directly faced Mughal attacks. However, the Mughal dominance of western Assam was not stable or peaceful. Local movements led by the people themselves resisted the total capture of power. One instance was the rebellion springing up in 1614 following the to ill-treatment of the Koch king Lakshmi Narayan during his visit to Jahangir's court. The rebellion was brutally crushed. "The basis of Mughal Rule was essentially military, the objective being revenue collection, suppression of local resurrections and conduct of Kheda operations for the capture of elephants" (Barpujari 2007 Vol II: 108). "These movements sprang up from the inborn desire of an independence loving people, forcibly conquered" (ibid).

Having occupied Kamrup, Mughals went further into Ahom territory to the east. Ahoms' attempts at defence were met by the Mughals with a war of retribution in 1615. Mughals advanced initially with considerable success. By the winter of January 1616, Ahoms stormed back with 300,000 men and 700 war elephants, and pushed back Mughal invasions. This defeat kept Mughal invasions at bay for almost a decade. When Pratap Sinha (Susengphā) took over Ahom rule, Mughals had to meet with constant Ahom defence, now allied by Kamrup ruler Bali Narayan from 1636 onwards. Three waves of long battles were fought. Bali Narayan lost his life in one of these battles and is still remembered for his bravery and unstinted patriotism. "Though branded as a mischievous rebel in Mughal chronicles, he was really inspired with a noble mission to rid his country of foreign foes. A halo of patriotic glory lingers around his tragic figure. Never perhaps was the noble struggle of men with fate, waged more nobly than by him" (ibid:162). The war was partly won by the Ahoms after

more than two years of relentless efforts shattering the idea of Mughal naval and military supremacy. The Treaty of Asurar Ali was signed in February 1639 between the Ahoms and the Mughals. Ahoms accepted Mughal authority in Kamrup, and Mughals recognised the sovereignty of the Ahom king to the east of Bar Nadi.

With Aurangzeb coming into power in Delhi, fresh invasions started in 1660. Ahom ruler Jayadhwaj Sinha (Sutamalā) had to face the military might of the Mughal army led by general Mir Jumla. Though Mir Jumla was able to momentarily takeover Assam, a stable state was far from being established. "He could neither win the peoples' hearts nor enjoy their unstinted allegiance nor yet exercise complete authority. The utmost he could do was to set up a military rule" (Barpujari 2007 Vol II:178). Both the weary parties signed the Treaty of Ghilajhari Ghat, Tipam on 23rd January, 1663. Both Mir Jumla and Jayadhwaj Sinha died shortly after this. Chakradhwaj Sinha (Supungmung) succeeded Jayadhwaj as the new Ahom Ruler, and his able leadership led to a strong alliance of the Ahoms with Koch Bihar, Jaintia, Darrang and Cachar. Ahom army under the legendary leadership of general Lachit Borphukan fought valiantly. Mughal forces were now led by Ram Singh of Amber, son of Mirza Raja Jai Singh. Lachit's indomitable spirit and bravery, military brilliance, and command of guerrilla tactics led to the Ahoms gaining back their lost command over the territory. The legendary battle Saraighat, fought by the Ahom army under the commandership of Lachit against the Mughals, on the banks of Brahmaputra, has lived through the memories of generations of Assamese people bringing and binding them together. By 1672, Ahoms had regained their lost power.

Following this victory, Ahom kingdom began to increasingly get entangled in a series of internal feuds for about a decade. After many short-spanned rules, the Ahom crown went to Ratnadhawaj Sinha, commonly known as Lora Roja (Boy King). The state administration got divided into many factions and its freedom was practically bartered to the Mughals by some conspiring ministers. Lora Roja, in a sinister move, attempted to eliminate all probable contenders to the throne. One of them was Godapani. He could escape and flee from the king's vengeance with the aid of his valiant wife, Joymoti, who saved the country with her life by saving her husband, the future king. Great patriot and freedom fighter Tarun Ram Phukan writes, "It was in Assam that Princess Joymoti of sacred memories practised passive resistance and was slowly tortured to death under the order of the King. She cheerfully defied the most cruel death spurning the highest position offered to her yet formally refusing to disclose the whereabouts of her beloved husband which she alone knew" (in Kakati 1991: 28). In August 1681, Godapani, with the help of some rebellious officers, overpowered Lora

Roja and took the reigns of the state in his hands and assumed the name Gadadhar Sinha. He, by his youthful vigour and untainted patriotism, inspired his army to victory over his enemies. With a policy of 'blood and iron', he drew a long protracted war with the Mughals and by 1682 won it over. Subsequently, Gadadhar Sinha, and after him Rudra Sinha, proceeded to amalgamate the neighbouring kingdoms. "A network of alliances was woven with the Kacharis, the Jaintias, and the frontier vassal chieftains, who promised to help him when needed" (Barpujari 2007 Vol II: 284). Assam experienced the heights of its own spirit and might with Pratap Sinha - it got a glimpse of the great nation that it could become with 'Gadadhar's reigns as the dawn of a new age in Assam, of which, the moon-tide slender came under his son, Rudra Sinha' (ibid: 285).

The constant Mughal invasions of Assam, though, could not fundamentally alter the political make-up, profoundly impacted upon the social context of Assamese people. Medini Choudhary (2000), writes that these attacks of the Mughals left back many Muslim families in Assam; some were war prisoners and others were families established by the victor. Nawab Hussain Shah established many Muslim Afghan families in Koch-Hajo. Over time, these people became the first of the Muslim Assamese population who have become an inseparable part of the Assamese identity. With Mir Jumla's aggression this population was no more confined to western Assam and reached the eastern frontiers of upper Assam as well. "The struggle against the Mughals cemented the sense of national unity of the Assamese, and national pride was enhanced by the defeat of the Mughal army led by Ram Singh in the Battle of Saraighat in March 1671. The protracted conflict between the Ahoms and the Mughals consolidated the feeling of Assamese oneness, which was initiated by Suhummung, who brought the Kacharis, the Chutiyas, and the Bhuyans within the ambit of Ahom kingdom. The Ahom attitude of accommodativeness towards the different ethnic groups and the absence of caste prejudices made it easier for the latter to come within the Ahom fold, and a broader Assamese identity had emerged" (Misra 2014: 164). Mir Jumla's historian Sihabuddin Taalish writes that these early Muslim families of Assam eventually had become absolutely Assamese in their cultural, linguistic and social identity. These people, with open hearts and open arms, accepted and adapted to the local languages, beliefs, lifestyle, food habits, and brought with them rich linguistic and cultural traditions and advanced skills in crafts. Misra (2014) writes that, as has been popularly accepted, these people began to become more Assamese than Muslim and towards the end of Ahom rule 'the idea of a composite Assamese identity made up of the caste-Hindus, the Ahoms, the plains tribals, and the small section of Assamese Muslims began to emerge' (ibid: 165). Apart from the Mughals, Choudhary (2000) writes, came the Buddhists, Tantric, Chandal religious

leaders, Christian priests from the west and the Bailong Deu-Dhais from the east. These people continued to become part of the Assamese population.

The Ahom Administration

The six centuries long Ahom Rule in Assam has been called 'unprecedented in the annals of India' (Barpujari 2007 vol III: 1). Barpujari (2007) writes that one of the unique characteristics of Ahom Rule was the 'spirit of amalgam'. "The entire structure presented as a spectacle of monolithic unity, formed by the union of the centre and the units, the civil and military, the executive and judiciary" (ibid). Ahom administration was also characterised by very detailed documentation leading it to be named as 'Kaghazi Raaz'. "The Ahoms had the habit of writing down their history from the time of Sukāphā, who passed orders in the early parts of his rule for keeping records of all important events. The chronicles of the Ahom period serve as valuable documents not only the sphere of language and literature but also in the sphere of politics and administration of the state" (Sharma 1986: 33).

However, the most unique element was the nature of the monarchy, leading captain Welsh to call it a mixture of monarchy and aristocracy. Though the king was the head of the state and the entire administration, for a policy to be made, it was essential to be consented to by the three primary ministers or Gohains: Burhagohain, Borgohain, and Borpatragohain. Kingship was hereditary in nature, yet, the concurrence of the three ministers was essential for coronation of any king. The primary and indispensable qualification for ascending to the throne was being a direct descendant of the royal family founded by Sukāphā. Ahom monarchy, thus, though absolute, was based on advisorial and consensual decision making. "The kings consulted all his Patramantris, Barphukans, Barbaruas, Meldagia Rajas, Dātiyaliya Gohains, Karataliya Rajas in the court and acted on their advice in important matters. Thus monarchy in Assam was absolute in form but limited in practice and even contained democratic elements" (ibid: 8). "It appears that the Ahom government was not an absolute monarchy. These five (Buragohain, Borgohain, Borpatrogohain, Barbarua, Barphukhan) constituted a council of ministers called *Patra-mantri*. These councillors exercised supreme administrative powers with the king at the head. The Ahom king did not issue any orders on matters of importance without the concurrence of the three Gohains. It was customary to consult the Council of Ministers before proclamation of any order" (Sharma 1986: 35). The powers of the monarch was also checked by the 'striking and salutary feature' of checks and balances at different

levels of the administration. Aristrocacy of the counsellors kept the power of the monarch within bounds. If unanimous, the counsellors could even dispose an unfit or delinquent king even though they were appointed by the king himself. “The three Gohains could depose a king by putting their heads together. Besides this, the proclamation of a new king depended on the concurrence of the Gohains” (Sharma 1986: 36).

Corollary to this is the very principle of decentralisation on which the general administration was based. This helped the Ahoms to strengthen the government and bring the many smaller tribes and kingdoms together into one fold, without dissolving their unique and autonomous natures. For this, the decentralisation was based more on occupational and regional groups rather than territorial units, thereby emphasising the people, tribes, paiks and their socio-economic identities. “*Deshes* and the feudatory principalities were left to be administered by their indigenous, traditional rulers, as a part of the policy of conciliation, subject to acknowledgement of Ahom suzerainty. These arrangements not only strengthened the government but knit the rulers and the ruled in an indissoluble bond of unity during times of danger and especially during the period of foreign invasions” (Barpujari 2007 Vol III: 16,17). Pratap Simha, with the expansion of the kingdom, created two new offices next to the Gohains: Borphukan and Barbarua (as has already been mentioned above). Unlike the Gohains, these were not hereditary and were meant to check the growing influence of few families.

Local administration of the Ahoms lacks detailed information. However, enough sources are available to give us a picture of a general nature. “David Scott discerned the salutary elements of direct access of the commoners to the king for the redressal of grievances” (ibid: 34). The *paiks* and the *khels* formed the foundation of the Ahom socio-political organisation. The *paiks* were functional groups that can be categorised broadly into two sections: the soldiers and the labourers. This system can be traced back to the first monarch Sukāphā, who came with three thousand *paiks*, and, under the supervision of the Gohains, arranged them according to their services into their *khels*. The *khels* enjoyed much autonomy in their internal functioning. The *paiks* system was unique to Ahom administration and bore important insights into the democratic elements introduced into a monarchical rule. “These aimed at the striking at the roots of localism and coagulating the numerous local atoms into a united whole” (ibid: 36). Barpujari underscores the importance of the *paik* and *khel* system of organising the socio-economic lives of the people as follows:

> It is thus quite clear that the paiks, constituting the masses of population formed the backbone of all productive activities of the society, were responsible for the economic prosperity of the state as well as the defence of the country. This disciplined body of workers, organised into khels or guilds,

> under a system of compulsory labour service, not only maintained themselves but also supplied the royalty, the royal household of the aristocracy, higher and lower, as well as of the state, both civil and military, without any downpayment of hard cash (Barpujari 2007 Vol III: 38).

Ahoms emerged as the rising and dominant power in Assam since thirteenth century and remained so for many centuries after that. The later Ahom rulers, however, as most of the great empires experienced, turned out to be politically inept and incapable, and personally driven to leisure and opium. Even the vast decentralised administrative networks set up by the Ahom rulers, that unified almost the entirety of Assam Proper into one Assamese identity, could not prevent the decline of the Ahom rule in Assam and the unforeseen and catastrophic invasions of the Burmese followed by the final establishment of the British colonial rule in Assam.

The Decline of the Ahom Kingdom and the Coming of the British

Gadadhar's reign (1681-1695 AD) shows a rising influence of Shaktism in the kingdom. His son, Rudra Simha, patronised the three religious sects of Vaishnavism, Shaivism, and Shaktism. By this time, the influence of the Brahmans on the royal house also had begun to grow to substantial extent, while the mass of the population were largely wedded to Vaishnavism. Ahom might, is believed, to have reached its zenith by this time. Rudra Simha's death marked a gradual decline in the Ahom rule. Increasing influence of Hinduism, accompanied by sectoral feuds and the growing complexities in the political developments of the Brahmaputra valley, together with the weaknesses and incompetence of the later Ahom rulers, led to the decline of the powerful Ahom administration.

Shiva Simha's rise to throne marked a decisive and increased influence of Shaktism, and the growing role Rani Phuleswari, a temple dancer at Kamakhya who converted to Shaktism and took the name Pramatheswari Devi. To avert the perceived dangers as predicted by astrologers, Shiva Simha passed on the reigns to the Rani. The fervent drive of both these rulers to promote Shaktism ended up alienating the Vaishnavites, particularly the influential Moamoria Mahanta and his vast followers. The Moamorias eventually rose in rebellion against the royal house during the reigns that followed. The ruthless killings on both sides that followed and the frequent power alterations between the two sides, in a matter of few years, undid the law and order of the entire kingdom and the subtle balance of power that the Ahoms had built in hundreds of years. What followed was an absolute disruption of normalcy and a total anarchy.

When Shiva Simha's son Lakshmi Simha died in 1780, his son Gaurinath Simha ascended the throne (1780 A.D.). Historians from Gait to Barpujari have called him the most incapable, cowardly

and ruthless of all Ahom rulers, and it was in his reign that Ahom supremacy in Assam finally had to give its way. The trouble with the Moamorias were, however, continuing unabated. The East India Company, by this time, had established trade relations, though limited, with Assam. Hugh Baillie was the Company's Resident in Goalpara. Unable to fetch much assistance from the neighbouring kings, Gaurinath, against the advice of his ministers, sought the help of the British mercenaries or *burkandages*. This he got from Baillie and Daniel Raush, an independent and influential English trader at Goalpara. This move, later on, proved to be one of the most catastrophic decisions undermining the very authority of the Ahom rule. The incessant strifes with the Moamorias had worn out the Ahom kings, and their grip over Darrang and Kamrup was beginning to loosen. Darrang was ruled by tributary Hangasanarayan I and II, popularly known as Burha and Deka raja. Kamrup was under the direct rule of the Ahoms, but the masses of Kamrupa were little aloof from the upper Assam population. Taking advantage of the decline of the Ahom supremacy, the Darrang kings, together with the Kamrupis, staged an attack on the Ahoms near Mangaldai, which, however, failed. Deka raja was executed and his nephew Bishnunarayan was declared the king, ignoring the legitimate claims of his son Krishnanarayan. Krishnanarayan was now engaged in prolonged fights against Gaurinath, none of which had any decisive outcome. Towards the end of the century, both parties, having suffered heavy losses in terms of life and property, wanted to reconciliate. However, the large number of mercenaries, whose sole interest lay in plunder, forced Krishnanarayan away from any negotiation. Disappointed and helpless, Gaurinath now appealed to the British Governor-General for military aid to expel the mercenaries from Assam. The fatal mistake of hiring mercenary soldiers finally invited colonial dominance into the hitherto independent and self-sufficient political-economy of Assam.

In these initial years of engagement with Assam, the Company, however, did not aim at any deep involvement in the politics of the land and people they hardly knew about. By 1765, the Dewani of Bengal, Bihar and Orissa had come to the hands of the Company. Administration of Bengal necessitated establishment of relations with Koch Bihar which immediately led them to the Brahmaputra valley. Koch Bihar in 1773 and Bhutan in 1774 became tributary states of the Company. In Assam, however, it continued to limit its role to that of a 'modest shopkeeper' (independent merchants also had become quite influential by this time). "Their interest was exclusively commercial, and three experiments - open trade, controlled monopoly, government monopoly- to promote it, followed in quick succession. There was no aggressiveness in the

Company's policies; political motives were conspicuous by their absence" (Barpujari 2007 Vol II: 304).

On receiving the Representation from Raja Gaurinath, Lord Cornwallis, then the Governor-General of India sent a small group to Assam under the command of Captain Thomas Welsh in September 1792, with very limited goals of expulsion of *Burkandages* and restoration of Raja Gaurinath. Neither of it, however, proved to be easy task as was initially commissioned. Gaurinath's half-witted and reckless decision-making and political incapability soon drew Welsh into active involvement in Assam's political developments, even against Company's dictum and advice. *Burkandages* were expelled, but required much more force than had been expected. Restoration of Gaurinath became difficult, worsened by his growing instability. He went to disregard age-old Ahom practice of holding regular public Darbar. His hot-headedness had already caused him his popularity. By February 1793, his powers had all been seized and he virtually became a prisoner of Welsh. "Thus an expedition sent to restore a ruler who had been practically overthrown by his rebellious subjects became an experiment in evolving a stable political system" (Barpujari 2007 Vol II: 314). The Raja now realised his position and came to terms with the Company. One aspect that had been primary to the Company was its commercial interest. "Money had to be found for the expenses of the expeditionary force" (ibid: 315). Two custom houses were established: Kandahar Chowki under the Commissioner of Koch Bihar and Guwahati. The Company partially monopolised the trade in Salt. British subjects were now free to sell all commodities other than salt throughout Assam. Materials used in wars, however, could only be supplied to the British troops stationed in Assam.

By May, Krishnanarayan who had agreed to make his territory a tributary of the company with the assurance and supervision of the Company, formally placed his allegiance to Gaurinath and was installed as the king of Darrang. On the other hand, claims over Kamrup continued to remain unresolved. In October 1793, Sir John Shore replaced Lord Cornwallis as the Governor-General. Captain Welsh, who had already exceeded his jurisdiction and got involved in the internal politics of Assam thereby going beyond Company's commercial interest and the bindings of Pitt's India Act, was recalled. Withdrawal of British troops, as perceived by Welsh, Gaurinath and other leaders, did add to the growing instability. "The basic malady was the erosion of old social, moral, and political values; the presence of a foreign military force for a limited period was unlikely to cure it" (ibid: 329).

When Gaurinath died in December 1794, Purnananda Buragohain took command of the kingdom. In absence of any male heir, a descendant of Rudra Simha's brother was ascended to he throne and he took the name Kamleshwar Simha. Under Burhagohain's able command, his reign saw comparative political stability and economic prosperity. In Guwahati, at the same time, new Barphukan named Gandhela Rajkhowa or Kaliya Bhomora was appointed whose 'military talent and ardent patriotism' brought the rebel forces under control.

Purnananda's growing influence had begun to worry and alienate many people within the nobility. Gaurinath's wife Kamaleswari, and the contender to the throne Brajanath, had already reached Calcutta to appeal to the supreme Government for help. The Company, however, was still reluctant to intervene. David Scott on behalf of the company, recognised Chandrakanta Simha, Kamaleshwar Simha's brother, who ascended the throne after Kamaleswar's death, as the rightful heir. Chandrakanta himself was getting wary of Purnananda's dominance. The reluctance of the British not to get involved in Assam's internal disturbances, led the opposition camp to seek the aid of the king of Burma. Burma by the end of 18th century had emerged as a powerful kingdom, checked so far only by the might of the Ahoms. The presence of British troops and the Company's protection of Assam as a tributary, had kept Burmese intervention at bay so far. But at the beginning of 1817, Burmese army of about 16000 soldiers was dispatched to Assam, an act which was to change the entire course of events in Eastern India. Burmese Army crushed the Ahom army under Prime Minister Purnananda Buragohain. Purnananda died at this critical juncture, and was succeeded by his son Ruchinath. With Chandrakanta to welcome the invading army, the Burmese easily occupied Assamese territory, and left with their sovereignty established. What followed, however, was intensive internal feud. Ruchinath, son of late Purnananda Buragohain tried to build an alternative force with Brajanath's son Purandar Simha. Following the feuds, in January 1819, the Burmese Army invaded and occupied Assamese territory for the second time, and established permanent military control here. Meanwhile, change in the rule in Burma, led to a third Burmese invasion in 1821 to which made Assam a part of Burmese Empire. Burma took hold of Assam; only the Moamorias maintained their precarious independence over a small territory. Burmese invasions were the final blow to the dwindling Ahom Empire. These invasions where accompanied by ruthless oppression and violent plunders. Narratives of their tyranny and tumults of those years still linger strong in the popular memory.

The British, by this time, had been alarmed by Burmese penetration, and though not directly getting involved, aided Ruchinath and Purandar Simha militarily against the Burmese. When Lord

Amherest succeeded Lord Hastings in August 1823, the situation in Assam had already changed to a considerable degree. Burmese invasions were now practically threatening the British Empire on its Eastern front. Strategic non-intervention no longer was a viable political option for the Governor-General. In January 1824, the British army got engaged with the Burmese army and defeated them and extended their contiguous rule to the states of Cachar and Jayantiya. The threat of Burmese attack, however, continued on three fronts: Assam, Cachar and Arakan. Early in March, therefore, war was formally declared by the British on Burma. "The expulsion of the Burmese Army from Assam was accepted as one of the primary objectives of the war" (Barpujari 2007 Vol II: 360). Burmese forces, without reinforcements, could not face the organised British troops and substantially retreated from Assam. Then the British withdrew their troops. But then as soon as the British withdrew, Burmese forces resumed offensive. This caused the British administration to take to counter-offensive and the British troops under captain Richard once again entered Assam. This unexpected British retaliation took the Burmese by surprise, and by January 1826, they finally surrendered to the British force at Rangpur. Expulsion of the Burmese forces from Manipur was also completed by this time. The British campaign in Burma Proper, which had begun with occupation of Rangoon in May 1824, was also coming to an end. The Treaty of Yandaboo was signed on 24th February 1826 between the British and the king of Burma. Burmese occupation of Assam and its constituent states formally came to an end. At the same time, it marked the beginning of British occupation of the entire North-Eastern region including Assam. For the first time in history, Assam became an integral part of the British India and its larger politics and economy. "In March 1833 Purandar Simha was recognised as the tributary ruler of a part of eastern Assam, three months later his status was reduced practically to that of a Jagirdar. This 'parody of royalty' reached its inevitable end in September 1838. The company annexed Purandar Simha's territory and granted him a pension. During the sepoy mutiny Marniram Barua made a futile attempt to revive the monarchy and forfeited his life under British law" (ibid: 366).

The Schedule District Act of 1874 brought Assam under the direct central authority of the British government. Assam was initially attached to Bengal Presidency. However, it was later brought under the direction of a Chief Commissioner and constituted as the Chief Commissionership of Assam. The new province of Assam at this point consisted of few constituent areas namely Goalpara, Kamrup, Darrang, Nagaon, Sivasagar, Lakhimpur, Chachar, Garo Hills, Khasi and Jaintia Hills, and the Naga Hills (Dutta 1993: 5-7, Trivedi 1995: XII-XII). When the Partition of Bengal was finally brought about by the British government, Assam was initially made a part of East

Bengal. This, however, proved to be unviable and unstable. It was, therefore, again seperated from East Bengal administration and reinstated under the Chief Commissioner in 1911. Later in 1921, Assam was made a Governor's province.

The diversity and multiplicity of Assam's ethnic demography and autonomous nature of the socio-economic lives of the indigenous communities proved challenging for the British colonialists to administer with some uniform overarching centralised rule. The colonial administration implemented several rounds of organisation and reorganisation of Assam's internal political make-up as an attempt to accommodate the ethnic complexities of the native people (Dutta 1993). Assam, as was apparent to them, consisted largely of the two valleys: Brahmaputra and Barak, and the adjacent hill areas. The communities of the hill areas were inherently different from those of the plains given their socio-economic practices. The 1874 Act, therefore, underscored this fundamental difference and administratively separated the hilly and remote areas of the North-East in order to secure the special status of the hill tribes from the general administration of the region. The plain areas of the Brahmaputra and Barak Valleys, on the other hand, were put under the General Acts and Regulation. Government of India Act 1919 further strengthened this administrative attempt. According to the section 52A of the Act, the Governor-General in Council may declare any territory to be a backward tract and deny any legislative act in the areas so declared (Dutta 1993: 6). The areas identified as backward are listed below: 1). Garo Hills, 2). British part of Khasi and Jaintia Hills District, 3). Mikir Hills (in Nagaon and Sivasagar districts), 4). North Cachar Hills, 5). Naga Hills District, 6). Lusai Hills District, 7). Sadiya Frontier Tract, 8). Balipara Frontier Tract, and 9). Lakhimpur Frontier Tract. The Indian Statutory Commission or the Simon Commission came in 1930 and submitted its report amidst large scale protests and boycott. Its report reaffirmed the special status of the hills people, and recommended that they should not be put under any legislature, and instead should be left to be centrally administered. The subsequent major legislation passed by the Colonial government was the Government of India Act 1935. It retained much of the Commission's recommendations. However, instead of 'backward areas', it introduced the administrative units of 'Excluded Areas' which consisted of 1). Northeast Frontier (Sadiya, Balipara, Lakhimpur), 2).Naga Hills District, 3). Lushai Hills District, and 4). North Cachar Hills sub-division of Cachar district, and 'Partially Excluded Areas' that included: 1). Garo Hills District, 2). Mikir Hills District in Nagaon and Sivasagar districts, and 3). British part of Khasi and Jaintia Hills District (Dutta 1993).

With the turn of the century, a new problem, however, increasingly began to alarm the Colonial government. The social demography of the region had so far been characterised by multi-ethnic indigenous communities coexisting with one another. The migration of the Ahoms in the thirteenth century and later the retainers of the Mughal invasions had not altered the age-old demographic balance of the region. These people overwhelmingly adopted the native traditions, languages, and to some extent political institutions. But by the beginning of the 20th century, with the laying of the Railways, establishment of a tea-empire, and opening up of the vast fertile lands for cultivation caused migration of various communities in massive scale from the mainland Indian territory, especially neighbouring Bengal. The age-old traditional self-sufficient and autonomous socio-economic practices of the indigenous communities were now threatened by the increasing number of people from the outside. "The British administration devised a mechanism to control the transfer of lands of the indigenous communities, that came to be known as the 'Line-System" (Bordoloi 1999: 5-9). This provision was devised in 1920 specially for areas with high concentration of migrant population, specifically for Nowgong and Barpeta subdivision of Goalpara district. The Line-System was supposed to divide the villages into three different categories. This was done with the aim of protecting the indigenous communities whose traditional rights over their lands and resources had come to be alienated in the face of the exponential growth of migrant population. The villages were categorised as 'Open Villages', 'Closed Villages' and 'Mixed Villages'. The Open Villages were meant for everyone to freely settle. In the Mixed Villages, the migrant population was allowed to settle on one side of the line drawn. The Closed Villages were meant to be preserved for the indigenous people. The system, however, did not prove to be very useful. A Line System Committee was subsequently formed under F.W. Hockenhull. The Committee stated that the 'tribal villages were the worst victims of unregulated encroachment of vacant land' which even led to the disappearance of many tribal villages' (Bordoloi 1999: 5-9). Anti-colonial movement, simultaneously, had begun to gather momentum. The tussle of power between the Congress and the Muslim League led to formation of the alternating governments in Assam under Gopinath Bordoloi and Mohammed Sadulla respectively. Even with Bordoloi's empathy for the indigenous people, no substantial measures could be taken for the protection of the indigenous communities.

In the meantime, the official Census Reports showed the fast changing demography of the region. The scale of migration had begun to threaten the indigenous communities and their traditional balance of survival. Lloyd in the 1921 Census Report noted that "In the last decade (1911-21) the movement of cultivators from East Bengal had gone far up the valley, and the colonists now form

an appreciable element in the population of all the four lower and central districts. In Goalpara nearly 20% of the population is made up of the settlers. The next district is Nagaon where they form about 14% of the whole population. Almost every train and steamer brings parties of these settlers and it seems likely that this march will extend further up the Brahmaputra valley forth the river before long" (The 1921 Census Report). His suspicion was proven to be true by the 1931 census report. Bordoloi (1999) states that in Goalpara, the population of Mymensingh immigrants was 34000 in 1911 (of total 77000 Bengali-speaking population), 78000 in 1921 (of total 151000 Bengali-speaking population), and 80000 in 1931 (of total 170000 Bengali-speaking population). In Nagaon, they were 1000 in 1911, 520000 in 1921 and 108000 in 1931. In Kamrup, the figures were: 1000, 30000, 91000 respectively in 1911, 1921, and 1931. In his 1931 Census Report Mulan noted that, "These are startling figures and illustrate the wonderful rapidity with which the lower districts are becoming colonies of Mymensinghis" (The 1931 Census Report). At the same time, growth of the natural population remained minimal. In Goalpara, two-fifth of the population-growth was natural, in Nagaon two-seventh, in Kamrup two-fifth. Interestingly, in Kamrup, between 1921 and 1931, the population-rise was 27.9%. It had two subdivisions: Guwahati and Barpeta. The 1931 Census Report shows that, of the total population growth, Guwahati had a 15% rise and Barpeta had a 69% rise owing to an increasing influx of migrant population from Mymensingh area. Though during the same period, migration from other parts of the Indian territory had also taken place, their number did not pose any immediate threat of demographic destabilisation. B.N. Bordoloi in a report on land alienation of the region wrote that, "The tribals in Assam did not like the presence of unknown people near their habitation and when they found that vacant lands adjacent to the villagers were occupied by people who differed from them ethnically, linguistically and religiously they abandoned their villages and went more inside towards the submontane. Sometimes their villages were forcibly occupied by the immigrants and consequently the tribals had to leave their hearth and home" (Bordoloi 1999: 4-5).

Independence and Afterwards

After the independence and even during the freedom struggle the issues of land and labour and the growing threats to the indigenous communities became central. Gopinath Bordoloi, the undisputed leader of Assam in the movement and the first Chief Minister (initially called Prime Minister) of the independent state, emerged as the flag-bearer of the concerns of the indigenous people. The

Constituent Assembly of India, in the context of Assam, decided to retain most of the provisions provided by the Government of India Act 1935. A sub-committee was formed under Bordoloi to look into the situation of the tribal indigenous communities, especially those in the hills. The Bordoloi Sub-Committee Report and its suggestions were debated in the Constituent Assembly and accommodated in the Sixth Schedule of the Indian Constitution. It granted autonomous status to the Hill districts of undivided Assam. The report noted that "the atmosphere of fear and suspicion which now prevails, even if it is argued that it is unjustified, is nevertheless one which must be recognised and in order to allay these suspicions and fears, it would appear necessary to provide as far as possible such constitutional provisions and safeguards as would give no room for them" (The Bordoloi Sub-Committee Report, The Constituent Assembly Debates 1948-49: 110).

However, the Sixth Schedule only incorporated the hill tribes, leaving the indigenous communities of the plains without any substantial constitutional safeguard. At the initiative of Bordoloi, The Assam Land and Revenue Regulation of 1886 was amended in 1947 and a tenth chapter was added to it. This chapter proved to be the "bedrock to provide protection to the backward classes for insuring sufficient land for their maintenance and then warding off all attempts by all and sundry to deprive them of it by any method whatever under any law" (Saikia 1965: 253). Eleven Tribal Belts and Blocks were created. The act, however, has not been able to safeguard the interests it was supposed to protect in any real sense.

In the meantime, simultaneous developments in the other areas of the Assam's political arena were beginning to take place. The year 1960 was marked by the rise of lingual controversies and turmoil over the issue of Official Language. The Hill Tribes, desperate to preserve and protect their autonomous and independent ethnic traditions, in the face of growing insecurity, did not welcome the idea of Assamese being made the Official Language. But the more vehement protests came from the state's Bengali-speaking population. The Assam Sahitya Sabha, the leading literary organisation of Assam, submitted a memorandum to the Prime Minister Jawaharlal Nehru and noted that "through realisation of the aspirations of the Assamese people, the great ideal upheld by the Congress, namely the right of self determination and self-expression according to the genius of the people, would be fulfilled" (in Trivedi 1995: 46-51). After many violent altercations, in 1960, Assamese was declared the official language through the Assam Official Language Act. Subsequently, a little after this, in 1963, Nagaland was detached from Assam and made an independent state. Following this, Meghalaya became an independent state in 1972, and Mizoram was made a union territory. For few years after this, the various demands of the hills people were

tried to be accommodated in various attempts of organisation and reorganisation. The two hill districts of Karbi Anglong and Dima Hasao (North Cachar) were earlier made autonomous by the Sixth Schedule of the Constitution stayed with Assam.

Yet another major crisis was waiting. The sudden demise of the Member of Parliament from the Mongoldoi constituency in March 1979 created condition for a by-election to be held. Accordingly, a voters' list was freshly prepared. The revised list showed an exponential rise in the number of voters and this came as a shock to the people. This created a crisis situation within the political leadership as well as the people. The All Assam Students' Union submitted a Memorandum on February 2, 1980 to the Prime Minister of India. It claimed that about 70,000 names included in the revised voters' list were objectionable. Of these, 45,000 were recognised and declared as foreigners by competent courts. This crisis in a small locality, grew into a massive uprising, known as the Assam Anti-Foreigner Movement (1979-85) on record, that led to many violent and agonising experiences for the people of Assam. It was claimed to be a 'burial of Indian democracy' in the said memorandum. The mid-term elections were already at the door. The names of those that had been detected as foreigners were refused to be stricken off of the electoral rolls. This led to further infuriation and a sense of betrayal among the people, who, came out to the streets in protest, under the leadership of AASU. The demands were detection and deportation of foreign nationals, updation of the National Register of Citizens (NRC) of 1951, and constitutional safeguard for the indigenous people. The memorandum asserted that "the people of Assam must always agitate to draw attention of the whole nation and the leaders; Assam is almost a forgotten state". This feeling was commonly shared and whole-scale mass movement followed.

On a more academic analysis of population growth, Assam had been experiencing and still experiences a surprisingly high rise in population. According to census reports, it topped all states with 174% rise in population between 1911-61. The rise was more confined to the areas with a larger migrant population. In 1951 India experienced a 31.31% rise in population and Assam a 19.94% rise. In 1961, population rise was 21.64% for India and 34.98% for Assam. In 1971, population rise for India was 24.80% and for Assam it was 34.95%. The people of Assam became increasingly apprehensive of this changing demography which had begun since the beginning of the century. A memorandum was submitted to the Prime Minister on July 8, 1980 by the Progressive Plains Tribal Council of Assam which states that "all the 33 Tribal Belts and Blocks of Assam have also now come under engulfment by the so-called population of immigrants and foreign nationals, and even the practice of settling down in such tribal areas by the immigrants and foreign nationals is

still going on". The Anti-Foreigner Movement was almost paralysing the whole of Assam. To make the matters worse, the then Indira Gandhi government, in a haste, passed the infamous Illegal Migrants (Determination by Tribunal) Act in 1983. The Act immediately intensified the agitation as it shifted the onus of proving a person foreigner from the accused to the accuser. The sub-sections 8(1) and 8(2) as well as 8(A) of the Act makes it necessary for any person to satisfy the Central Government and/or the Tribunal with the validity and admissibility of his/her claim regarding identification of anyone as a foreigner. The Assam Movement came to an end in 1985 with the signing of the historic Assam Accord between the Government of India, AASU and AGSP (Assam Gana Sangram Parishad) on August 15. It decided on accrediting citizenship to everyone who had been residing in Assam as on 24.03.1971. However, the IM(DT) Act still remained in place. The Supreme Court later repealed this in 2005. In the judgement of the case Sarbananda Sonowal Vs Union of India & Anr. (12/07/2005, Writ Petition (civil) 131 of 2000), the court noted that "the enforcement of the IMDT Act has no doubt facilitated to a very large extent the illegal migrants from Bangladesh to continue to reside in Assam, who, on account of their huge number, affect the language, script and culture of the people".

The Accord brought back normalcy and to the agitated political life of Assam. However, this normalcy and stability did not prove to be very long lasting. On the one hand Assam soon witnessed the rise of the rebel separatist group of ULFA (United Liberation Front of Assam) which led to another violent upsurge in Assam's politics. On the other hand, the large populations belonging to the plain tribes outside the Sixth Schedule continued to feel threatened, and their struggle for constitutional protection also continued unabated. The result of this was the signing of the Bodo Accord of February 20, 1993, and the formation of the Bodoland Territorial Autonomous District (BTAD). At the same time the struggle of the Assamese people as a whole for their land rights and constitutional protection, too, continued, given the relevant clauses of the Assam Accord not yet implemented.

II. LAND AND LABOUR IN ASSAM

Assam is divided, geographically, into two major valleys: the Brahmaputra and the Barak valleys, and the north eastern and central hill tracts. Assam, until the advent of the colonial British, remained relatively autonomous of the neighbouring areas given the numerous hill ranges surrounding it.

"The geography of the country has much to do in moulding the character and destiny of the people" (Barpujari 2007 Vol I: 3). "The physical barriers fostered in them, like the city-states in ancient Greece, an exclusiveness and spirit of independence, intolerant of hegemonic or outside authority" (ibid). The diversity of the topography of the region together with equally diverse ethnicities of indigenous people made the economy of the region multifaceted and unique. Therefore Barpujari (2007) argues that, when the Aryan culture began to penetrate into the region, its torchbearers found already functional economies among the people here, and their own hierarchical organisations of socio-economic life like the caste system could not fundamentally alter the independent economic lives of the people of the region.

The economic life of Assam has primarily centred around land. From different epigraphs, it can be concluded (Barpujari 1990) that, land in ancient Assam was divided into three divisions: *Janapada (*country-side), *pura* or *nagara* (city, town) and *vana* (forest land). Though *pura* or *Nagara* were important political centres, the *Janapada* (countryside) and the *vana* (forest land) were more central to the economy. The *Janapada* was divided into *gramas* (villages) which were subdivided into *kshetra* (arable land), *khila* (wasteland), *gau-prasara bhumi* (land for cattle grazing) and *vastu bhoomi* (building sites). The basic rule of land ownership used to be that land belongs to one who first clears it of the weeds or forests, and makes it arable or habitable. This suggests that land was owned by the people. However, given that the king/chief of the various communities acted like patrons to the people, and also since land grants were known to have been made by the king (Barpujari 2007), the ultimate owner of all land was supposed to be the king. The land grants were of two kinds. While forests, mines et cetera belonged to the state, lands in most cases were allotted to individuals which included land with residence, paddy fields, pasture ground et cetera. Secondly, though some grants was given to individuals, they were to be enjoyed jointly. These indicate the diversity of nature of land holdings under the supervision of the king in ancient Assam. Interestingly, Barpujari (2007) notes that the marking of the boundaries of the land holdings was not considered to be a crucial issue here. Either the physical features like a hill, mound, river, pond served the purpose or, even something as tangible as new tree sapling was used to mark the boundaries. This shows the open nature of economic practices existing among the communities, and "the honesty of the ancient people of Assam that even such a flexible boundary like a bamboo fence serve the purpose of the grant" (ibid: 237).

Apart from the areas under the direct authority of the king, the numerous indigenous tribal communities led their economic lives almost independently and in their own ways. Direct evidences

in this regard are few. However there are rich narratives that together with the other sources give a good understanding of the economic picture. Communal or tribal ownership of land, subdivided into family ownership, prevailed among them. As will be dealt with in detail in later chapters, most of the tribal communities were divided into many *khels* or groups. These *khels* could be composed of many families and even few villages. Land belonged to the *khels*. "Each village is like a small republic and though the village headmen exist, their authority is very weak" (ibid: 237). The specificities of land ownership differed from tribe to tribe. However, the communal nature of ownership of land and resources prevailed as a general rule among them.

The kind of cultivation most popular during this time here was *jhum* cultivation. Small embankments were raised at the roots of the paddy plants for conservation of water. Many tribes also cultivated lands for two or four consecutive years and then left the land fallow for over ten years. This was done for preserving and restoring the natural fertility of the soil. Though everyone in the villages were known to have engaged in the field and agricultural work, hired labourers are also known to have been employed. "They received a third or fifth part of the crops" (ibid: 239). Apart from this, ancient Assam was also known to have proper systems for irrigation. Assam was also known for gold, wooden work, bamboo, aromatic goods, and very popularly, silk, during this time.

The *nagara* or the town, on the other hand, served as centres for trade and exchanges. The aversion of the country-people towards the cities has been well noted. Such feelings can be noted as early as 4th century BC when Megasthenes had noted that, "husband men themselves with their wives and children live in the country and entirely avoid going into the town" (ibid: 243). The existence of broad highways in the old cities point towards well flourished trade during this time. Trade routes towards China, Burma and some western provinces are also known to have existed during this time. The cities also served as markets for the products of the rural areas. The system continued to remain the same for a long time till the coming of the Ahoms with the skill of wet paddy cultivation. The Ahoms, however, did not significantly interfered with the internal autonomies of the indigenous communities and their customary practices continued to persist throughout their rule.

The Ahom administration

For quite some time after the establishment of the kingdom, the Ahoms did not separate general administration from revenue. For almost half of Ahom rule, the three *gohains* managed these

departments. It was under Pratap Simha (1603-41), by whose reign the kingdom had expanded over a large area, that the rule was categorised into *Uttarkul* and *Dakshinkul* (North and South of Brahmaputra), and the administration was sectioned into several departments. The creation of two new offices of *Barbarua* (principal executive, revenue and judicial officer) and *Barphukan* (Viceroy of lower Assam and Guwahati) reflect the increasing complexities of the rule and the corresponding expansion and classification of different aspects of the administration. Still, throughout the Ahom rule, as had been before, the economic, political and social lives of the people were hardly strictly compartmentalised, and they continued to be mutually constitutive and overlapping.

Ahoms, as a method of governance, conducted regular service and census of the population, and had their own methods of doing them. This legacy is believed to have begun with Sukapha himself who is known to have made studies of the people based on their work and speech, and maintained record of deaths. These censuses are now considered to be characteristic of Ahom administration that helped them rule successfully for six long centuries and have a self-sustaining socio-economic system of governance that not only did not alienate the numerous indigenous communities, but brought them together into a more concerted, harmonious and unified whole, while at the same time, maintaining their independent nature. The rulers understood this essential multiplicity of the people, and adapted their social economic policies to it.

We have already discussed about the organisation of labour in the Ahom administration. The *paik* and *khel* system give the economy and labour system a unique and independent character. The *khels* function with substantial autonomy under the king's ministers. Since labour was commonly owned and revenues were generally paid in labour rather than produce, land and labour, during Ahom administration, remained comparatively distributed and decentralised. Though the king technically owned the land, such claims where hardly exercised. “The royal claim of ownership was not exercised except in cases of disputes over possession” (Barpujari 2007 Vol. III: 90). Land, though was classified into many categories, was primarily divided into three: *ga-mati* or *ruati-mati* (for cultivation) and *bari-mati* (homestead land or residence), and *faringati-mati* . Every *paik* was allotted two *puras* of *ga-mati* that was rent free. This was done for the fulfilment of the basic economic needs. But since all land was regarded as state property, this could not be hereditarily owned. This was passed by the king from one *paik* to another. On the other hand, *bari-mati* could be owned by the people with hereditary rights and was exempted from direct taxation. “Assam represented a compromise between state ownership and private ownership in practice, eliminating the growth of any class of landless proletariat as well as of unemployment (through *khel* hall

system)" (ibid: 91). "The fundamental duties of modern socialist constitutions may have a parallel in the Ahom system of government which required the service of each citizen to be rendered in the greater interest of public life" (Sharma 1986: 320).

Sharma (1986) explains that the adult population was divided into *khels* or guilds which could be territorial as well as functional or vocational. An individual rendering such services was a *paik*, three or four of whom together made a *got*. Each *got* was to provide state service for four months a year during which time his co-workers took care of his agricultural and domestic affairs. Guha (1991) explains the *paik* system as follows:

> The entire *paik* population was divided into broad division under the general name of *mel* or *dagi.* One group of the the divisions was devoted entirely to the service of the three great ministers, who could be appointed only from the select clans. Each such division attached to a great minister was known as his *hatimur*. Another group of divisions rendered its offices to members of the royal family, but were placed under the immediate control of a number of officers called *Phukan, Barua and Rajkhowa.* There were some fourteen divisions in thus category. The third and largest division also divided into a number of *dagis u*nder their respective officers worked for the Rajah himself i.e. the State. Each *mel* or *dagi* comprising some 1,000 to 6,000 *paiks* consisted of a number of smaller divisions (*khel*). A *khel* again was divided into so many *gots.* Thus, a *got* i.e. a unit of three or four persons, was the basic cell in the organisation of the *paik* militia. Besides those already mentioned, a number of important offices were created during the first half of the seventeenth century. The hereditary chieftains of vassal states and tribes were another important element in their respective areas (Guha 1991:54).

Kamrup, to the west of the Ahom kingdom, by 17th century, had experienced many changes in their governance. It had gone from being a Koch Kingdom to being a Mughal Dominion for a small time to being a part of Assam or larger Ahom Empire. Vishwa Sinha the first Koch king had collected revenue as part of the produce. But later his successor, Naranarayan, impressed by the *paik* system introduced it as the basis of social economic and military organisation of the Koches. When Mughals temporarily took over the administration, the introduction of the economic policies led to huge disruption in the otherwise independent *paik* system, and became the cause for many rebellious activities. "The introduction of Mughal revenue methods, for example, realisation of revenue in cash or kind, farming of lands, and oppressive practices of various officers caused a violent though abortive reaction (virtually a rebellion) among the *paik* peasants" (Barpujari 2007 Vol III: 95). The expulsion of the Mughals from Kamrup brought back the earlier methods, however, with some impact of the Mughal administration. One, the larger part of Kamrup came under Ahom land and labour system based on labour service of *paiks* instead of revenue in cash. Secondly, simultaneously, the local divisions that Mughals created, like the *paraganas* and the *taluks,* also continued to exist.

As Ahom Kingdom expanded, more and more indigenous communities of the area came under its sovereignty, giving Assam its composite character as we know today. The smaller hereditary kings of the Brahmaputra valley, including Kamrup, acted as vessels of the Ahom monarch. They, according to *Paikan* system, supplied a fixed quota of *paiks* to the Ahom state. Internally, they continued to enjoy full autonomy. The neighbouring hill tribes, according to the longstanding custom, were given certain rights and privileges in the foothill lands of the plains. This was done to ensure their produces from the adjoining plains. The primary objective was to protect the hill people from the peasants of richer plains which at times used to amount to blackmail.

The *paik* and k*hel* system of land and labour administration existed in larger parts of Kamrup and the entirety of Upper Assam, the seat of Ahom rule. It lasted as long as the empire lasted. Towards the closing years of the 18th century, the paik service began to become saleable, and the *khel* system, as a result, began to get dismantled. Gradually, sources of cash revenues were also developed. Remittances for labour were introduced. But "the symbolic monetary alternative was forced on them by the altered situations" (Barpujari 2007 Vol III: 100). The Mughal invasions and the Moamoria rebellion caused heavy loss in the number of the *paiks*. The Ahom king was now forced to hire mercenaries, and later British troops. The new situation demanded more revenues leading to more taxation in areas that were never covered before (like house tax in lower Assam and the *baranganis* from the *sattras* in Upper Assam). Heavy financial strain had affected, to a considerable degree, the earlier independent *paik*-system. The gradual erosion of the central authority of the Ahom rulers and growing corruption among some nobles further disoriented the *khel* system and encouraged *kheldars* for non-performance of their natural duties. Also, the ongoing wars, famines etc. led to the even faster erosion of the numerical strength of the *khel.* "It was estimated that the number of *paiks* under the *Buraguhain* came down from 80000 to 43000 after the Moamoria disturbances" (Barpujari 2007 Vol II: 373). Later on, with British occupation, land and labour organisation in Assam entered a new phase.

A critical reading of Amalendu Guha's argument

One of the most meticulous readings of the political-economy of the medieval Assam was done by Amalendu Guha in his 1991 book *Medieval and Early Colonial Assam*. Guha makes a substantive attempt here to make a class-based reading of the economic development of the region. He carefully outlines the transition from tribal to feudal and then to colonial economy.

In this study, I propose to make a very different argument. However, before doing that, it is imperative to briefly go through Guha's argument. Guha states that medieval Assam largely had a barter economy that was mostly supported by its tribal basis of society. As a general rule, revenue was paid in labour. The Ahoms who had a wet rice culture, did not disposses the tribes of their lands which were generally suited for dry crops. Land was held in common. "Hereditary private proprietary rights existed only in the case of homesteads and gardens, but not in the case of paddy lands. In fact the concept of communal land, embedded in cultural tradition, remained very much alive in relation to the paddy lands" (Guha 1991: 54). Labour was organised into *khels* and *paiks,* the basic constituent of which was the *got.* One third to one fourth of the members were supposed to be on state duty on a rotational basis at all times. And during the absence of a *paik* from home, other members were supposed to cultivate his lands and provide for home. The existing top officials of the state enjoyed office lands which were cultivated by a certain number of *paiks* whom they could command for their personal needs. The predominance of the *Khel* characterized Assam's political-economy and led to the strengthening of the community in the social, political and economic existence of the indigenous people. "The concept of *Raij* (public) is even today very strong in Assam; and woods, pastures and natural fisheries are generally regarded - whatever be the current law - as *rajahua* or common lands" (ibid: 61). Land did not become saleable commodity until the coming of the British.

Guha notes that in the beginning of the 16th century, when the Chutiyas were conquered by the Ahoms, the royal families were granted big tracts of land near Darrang. This can be regarded as the earliest known land grant. Later, from Pratap Simha's reign (1611-1649) and especially since Gadadhar Simha, huge land grants were begun to be made to the religious *gurus* and *Sattras* (Vaishnavite temples). When land grants were made, the *paiks* attached to those lands were also granted to the donee. This, along with the rising nobility, was leading to the emergence of a new class which was free from rendering manual service to the state. Two classes of *paiks* emerged: i. *chamua paik*, who could contribute a share of their produce in lieu of manual service, and ii. *kauri paiks*, who were liable to render manual service. Gradual rise in population was causing a scarcity of land. All this, and the individual's attachment to his land, which he derived not from the king, but from his immediate village community, was more and more characterising a feudal society. "The scene was dominated from the thirteenth to sixteenth century by two rival political systems: (i) loose confederacies of hierarchical petty feudal chiefs (*Bhuyan Raj*) thriving on the ruins of an

erstwhile imperial tradition that was Kamrup, and (ii) rudimentary semi-feudal state formations emerging directly from tribes, example, Chutiya, Kachari and Ahom kingdoms" (Guha 1991: 123).

The rise of neo-Vaishnavism with Shankardev in the 16th century, Guha writes, is central to the developments of these times. Neo-Vaishnavism aimed at overcoming a ritualistic religion. "The popularity of neo-vaishnavism stemmed from its democratic content - its creed that all men were equal in the eyes of God, that the expensive rituals were meaningless and that a spiritual preceptor could be chosen from any caste even by a Brahman" (Guha 1991: 125). As such, it established the centrality of the *guru* or *dev* who would lead an individual, after becoming his disciple, to God. This universalised the popularity of the *sattras* in Assam. Along with emergence of Assamese as the commonly used language, it aimed at bringing the variety of tribal indigenous communities to one fold. "Neo-vaishnavism was essentially a feudal ideology that was helping to de-tribalise a society in transition" (ibid: 124). Thus, Guha asserts that, by 17th century, the feudalisation of the economy was completed by the neo-vaishnavite movement that aimed at absorbing the multiplicity of faiths and traditions and establishing a common "universal faith that would uphold the concept of vassalage in the spiritual model" (ibid: 150).

In the late 18th century, then, feudalism headed towards a crisis in Assam. The sharpening contradiction between the peasantry and the feudal class, and the growing discontent among the ruling class over shares of the appropriated surplus, according to Guha, became the major reasons. Also, the gradual erosion of the *paik* system and the introduction of money was further destabilising the feudal structure. The final blow to the feudal system, according to Guha, came from the Moamoria uprising that led to series of violent and destructive manoeuvres, finally sealed by the desolation and devastations of the Burmese invasions. Guha reads the Moamoria uprising as a class-based movement. "Ethnicity, creed, and caste factors should not be over emphasised, while explaining the nature of the revolts" (ibid: 156). "What appeared to Maniram Dewan as '*Matak* troubles' was therefore essentially 'a now hidden, now open fight' between classes arrayed broadly into two camps. On the one side were, by and large, the temporal and spiritual lords, and on the other, the peasantry and the unconsolidated trader and artisan elements that were still linked with it" (ibid:156-7). It was, therefore, a class revolt that finally dealt the last blow to Ahom supremacy and established British political authority in Assam. Elsewhere, Guha (2000) writes that "the development of Assamese as a rich literary language, the progressive merger of Tai-Ahom and Tribal languages into it through a phase of bilingualism, a relative growth of trade, artisan crafts and money circulation, and expansion of plough and wet rice cultivation at the cost of jhuming, and a

cultural awakening in general - all these helped the on going process of de-tribalisation (peasantisation) and feudal consolidation. The legitimacy, the feudal regime thus acquired, ended when its economic and social contradictions burst, into civil wars, during the late 18th century" (ibid: 89).

In this study, a different reading, based on my primary readings as well as field work, shall be made. In opposition to Guha's arguments, I argue that feudal structures in mediaeval Assam, if any, existed in very rudimentary form. As has already been discussed in detail, the Ahom economy was characterised by *paik* system. Ahoms, even when they established an undisputed monarchy, never alienated the indigenous communities from their lands. These communities continued to own and manage their land and other resources in their own traditional and customary ways without much intervention from Ahom authorities (this will be discussed in the later chapters). The lands were generally owned by the community, the king's ownership was at most nominal. The rise of the royal and temporal nobility, as well as the religious institutions, as private land owners, emerged only later in the 16th century. Even then, this did not affect the general land ownership and management patterns among the people. The *paik* system was largely decentralised in nature, managed and run by the *paiks* themselves with a chief elected amongst themselves. Hierarchy of labour did not exist till the end of the Ahom monarchy as anyone could choose any profession: peasants, soldiers, weavers etc. More importantly, every *paik* rightfully owned his homestead land and adjacent dry land with hereditary private proprietary rights. This ensured that basic needs of the common people were secured.

The rise of '*bhuyan raj*' (Guha 1991: 123) and other landowning classes was very limited both in quantitative and qualitative terms. Cultivable land, till the coming of the British, was commonly owned and managed. Labour, apart from the small slave population, still was largely self-managed through the *paik* system. Revenue paid in labour actually freed the people from any material debt to the royalty. So, the economy of Assam at the dawn of British colonisation was characterised by multiple forms of practices, both indigenous and non-indigenous. Rise of a homogeneous feudal structure, in a sense of dialectical-material progression of history, would be an over-reading of the developments, shadowing its rich diversity of economic practices. The reluctance of the British traders and colonialists to establish themselves in Assam is a reflection of this diversity and complexity.

In Guha's reading, the Moamoria revolt, too, like other peasant uprisings of the time, 'essentially reflected a political conflict between the feudal ruling class and different segments of the exploited peasantry' (Guha 1991: 118). Hiren Gohain's reading of the revolt also falls in line with that of Guha. He writes, "but the gradual separation of the nobility from organisation of primary production, and growing class divisions, as well as increase of oppression and exploitation, fed a smothering fire of resentment and hatred against the higher classes. It erupted into a widespread conflagration when royal conflict with the *Moamoriya* sect turned into a fierce unprecedented rebellion. New caste rules could not contain the tribal spirit of independence and reckless courage" (Gohain 2010: 42).

While admitting that the Moamoria revolt had involved a section of the poor peasantry, it cannot, however, be denied that the revolt was essentially religious in nature, though not exclusively so. The Satras at the time became parallel centres of power and wealth with Satradhikars as their custodians claiming unstinted loyalty from their peasant devotees. The Moamoria uprising was a direct result of this religious conflict between the Moamoria Mahanta and the royalty following and patronising Shaktism.

More importantly, this conflict was actively participated by, on both sides, the common peasant population. We cannot understand medieval Assam, the Moamoria uprising included, if we do not take into cognisance the ethnic and emerging religious conflicts of these times. To read class into the ethnic complexity of the movement would be at most an inadequate assessment. If class was the central identity in Moamoria uprising, why did it not appear during the Burmese invasion that followed immediately? Even with British rule established, class in the entire 19th century, did not emerge as a political identity among the people of the region. The region continues to exist in space of diverse politico-economic existences underscored by its ethnic identities. This absence of a class-stratified society has been accepted by various writers. Misra (1988) writes that "Unlike many other states, example Bihar and Uttar Pradesh, the Assamese peasantry has been relatively spared the intense feudal exploitation, characteristic of the landlord-peasant relationship. Poverty and hardship have no doubt characterised the life of the average Assamese peasant; but because of the land-holding pattern of the state, the Assamese peasant was, on the whole, spared exploitation by landlords. He still retained strong tribal routes and, although suffering from the effects of a retarded feudal economy, did not develop strong class antagonisms as his counter parts in Bihar and Bengal did" (Misra 1988: 64). Critiquing Guha (1980) he writes that "By giving a landlord-tenant twist to the entire question of the occupation of land by the migrants and the resultant conflict with the

autochthonous, Guha is trying to confuse readers who are not adequately acquainted with the land-system of Assam" (Misra 1988: 73). Phukan (1978) writes that in Assam "Class boundaries are indistinct and the class structure of the village is not differentiated…Land ownership being spread over to almost the entire households of the village, sharp distinction of classes have not grown at least in the minds of the rural population" (Phukan 1978: 81).

Finally, almost all historical readings of this time embody a sense of progression of civilisation in a linear development that ultimately exemplifies the overarching, all-pervasive capitalist system, as if an inevitable stage towards some larger goal. As such, the democratic, decentralised and self - sustaining economies of the indigenous people get dubbed as 'primitive', barbaric, backward etc. Even Guha's progressive historical readings do not escape this. He writes in the context of Moamoria uprising that the revolters were "incapable of visualising a revolutionary transformation of the feudal society. The issue involved was the restoration of social, political and economic justice either within the feudal mould itself, or through a retreat to a semblance of primitivity" (Guha 1991: 157). This argument shall be further discussed in the conclusion.

The British and the Colonial Era

The British had not initially planned on prolonged and active stay in Assam. However, their brief acquaintance with Assam's socio-economic and political milieu led them to integrate it with the larger British colonial India. "The two years of their stay in Assam had convinced them that the region was important, not only for its strategic location but for its immense economic possibilities as well" (Goswami 2000: 12). The coming of the British introduced two major changes into Assam's otherwise autonomous and decentralised economy. First, the British introduced and established a full-fledged money economy, thereby bringing the first major challenge to its traditional economic practices. Second, and corollary to it, introduction of a capital-intensive economy brought about major influx of people from neighbouring areas, especially East Bengal, that would, in a matter of few decades, entirely alter the demography of the region and, as a result, challenge the traditional command of the indigenous people over their land and resources. Once the British took over the administration, the *khel* system was gradually replaced. "One important alteration adopted was the imposition of poll-tax of three rupees per *paik* in lieu of the old liability to personal service for three or four months in the year. Under the Ahoms there was no 'land tax',

but under the British, the native system was replaced by a new system based on 'direct money taxation'" (Barua 2000: 39). David Scott was appointed the agent to the Governor General (1825) on the north-east frontier and Francis Jenkins was initially appointed on special survey duty in 1831 and was made to head the administration. The unspecialised economy of Assam with no private proprietary rights over land posed major challenge to British commercial interest in Assam. Indigenous opium and high quality of Assamese mulberry and *muga* silk were considered to be prime commercial products. However, it was the prospects for a successful tea industry that urged the British into colonisation of the region. Successful tea production also increasingly led to further alienation of the indigenous people from their lands, though not outrightly so, as reflected in the Wasteland Rules of 1838.

Developments in Assam during these years centred around tea. Land acreage for tea was fast expanded. "The planters' activities lubricated the mechanism of transition from a predominantly natural economy to a cash economy during this period" (Guha 1991: 113). However, the revenue generated from the tea industry did not accrue to the indigenous people. Much of the expenditure (about one third) made in this regard was lost in transportation costs and wage payments. The indigenous people refrained from engaging in the employment of the tea planters (barring few like Kacharis in Darrang). "Tea gardens were like so many isolated islands of alien ways of life in the midst of a traditional society" (ibid: 199). "The government feared that 'if assessments upon the natives were generalised and not heavy', they would not be available as tenant-cultivators under European planters. In a labour-short economy this was of utmost importance to the colonial entrepreneurs" (Goswami 2000: 17). He notes that in 1901 only 7% of the workers were of local origin. This substantially led to the rise of migrant populations. "In Lakhimpur, the largest of the tea districts, 41% of the population were recorded as being immigrants in 1901" (Ibid: 20). Scarcity of labour therefore let the planters to 'depend almost entirely on famine-stricken tribal areas of the rest of India'. Guha notes that between 1871 and 1901 more than 11 lakhs recruits migrated to Assam. During the same period, non-indigenous population increased from one lakh 5-6 lakhs. Whereas indigenous population remained constant between 1871-91 and decreased by 6% between 1891 and 1901 (based on Guha's assessment of 1901 census data). Guha well summarises the effects of this exponential demographic transformation: "First, a continued imbalance between the fast growth of modern sector composed of plantations, coal, petroleum and the associated infrastructure on the one

hand, and the slovenly growth, if any, of the traditional agricultural sector on the other. Secondly, a gap between the gross earnings of the economy and the locally disbursed income originating therefrom increasingly widened. Not only that the surplus was remitted abroad in the form of high dividend and transferred savings from high salaries, but also a part of poor wages was also remitted outside the geographic area" (Guha 1991: 236).

The situation took turn for the worse after this. With the introduction of railways in 1911, the already migrating trading communities of 'Marwaris' and 'Banias' could now widely settle and profit with increased commodity circulation. And secondly, 'the land-hungry jute-oriented peasants from East Bengal could now come by thousands to colonise the riverine waste-lands on which production potential of tea or wet rice was almost nil (ibid: 240). Assam, thus, presents a unique case of colonisation and land alienation from above as well as from below.

Post-Independence Assam

Gopinath Bordoloi's Subcommittee Report to the Constituent Assembly led to the formation of the Sixth Schedule. This schedule deals with the provisions related to the administration of the hill-tribal areas in the entire North-East region. After several re-divisions of the earlier undivided Assam only three hill districts have remained in present day Assam: North Cachar Hills District, Karbi Anglong District, and of late, Bodoland Territorial Areas District. The schedule aspires to maintain the traditional land and customary organisations of the indigenous people. "Tribals have got their own laws, both civil and criminal which, emanating out of their customs and usages, have become unwritten laws with the passage of time and still have the force of law, in spite of the impact of the non-tribals, and it was on account of this that the framers of the constitution have put the hill districts of Assam in the sixth schedule of the constitution of India" (Syiem 1967: 266). Each autonomous district has a District Council and a Regional Council. According to paragraph 3A and 3B of the schedule, land, labour and revenue of the region shall be administered by the councils themselves. This autonomous status was debated upon widely in the Constituent Assembly. Bordoloi asserted that:

> It is necessary to mention here that there are certain institutions among these hill tribals, which in my opinion, are so good that, if we wanted to destroy them, I consider it to be very wrong. The democracy which prevails there - though limited in the sense it is confined only to the tribals of a clan or region - will rouse the admiration of any disinterested student. Most of these provisions (Sixth Schedule) are

> nothing more than translating something which already prevails in the tribal societies (Constituent Assembly Debates 1949: 1013-14).

Lakshminarayan Sahu from Orissa, making a comparison with the Kangh people of Orissa, assented to this autonomy.

> We have got a similar law in Orissa and we wish that none should be able to take away land from the aboriginals since *(sic)* they do not understand their economic interest. There should be an independent Act for the lands and we therefore provided for it. We wish to make the law stricter so that any outsider, who is not an aboriginal, should not be able to purchase land (Constituent Assembly Debates 1949: 1019).

Rev. J. J. Nicholas Roy defended the case for the schedule noting the forwardness, independence and maturity of the socio-economic practices of the indigenous people:

> If it (culture) means eating and drinking or ways of living, the hill tribes can claim that they have a better system than some of the people of the plains. I think the latter must rise up to their standard. Among the tribesmen there is no difference between class and caste. Even the Rajahs and chiefs work in the fields together with the labourers…The social organisation is that of the village, the clan and the tribe, and the outlook and structure are generally strongly democratic. There is no system of caste or purdah and child marriage is not practised…They should not for a second think that these people should give up their democracy and equality and be swallowed up by another culture which is quite different from what they have been used to, and which is considered by them not at all suitable for their society…. Therein no difference between man and woman: the woman does work, goes to the *bazars* and does all kinds of trade. And she is free. In the plains the woman is just beginning to be free now, and is not free yet. But in some of the hills districts the woman is the head of the family. Women and men are not shamed of any kind of labour there (Constituent Assembly Debates 1949: 1023-25).

Of course, there were some vehement criticisms, too, against scheduling the hill tribes, based on fears of separatism, communism, or higher standards of 'Indian culture' could not have been better answered. Bhimrao Ambedkar, with his deep empathy and regards for the common people, did not, however, fail to understand the situation and strongly put forward his consent.

> The tribal people in areas other than Assam are more or less Hinduised, more or less assimilated with the civilisation and culture of the majority of the people in whose midst they live. With regard to the tribals in Assam that is not the case. Their roots are still in their own civilisation and their own culture. They have not adopted, mainly or in a large part, either the modes or the manners of the Hindus who surround them. Their laws of inheritance, their laws of marriage, customs and so on are quite different from that of the Hindus. I think that is the main distinction which influenced us to have a different sort of scheme for Assam from the one we have provided for other territories. In other words, the position of the tribals in Assam,whatever may be the reason for it, is somewhat analogous to the position of the Red Indians in the United States (Constituent Assembly Debates 1949: 1027).

The distinctiveness of the hills tribes inspired the necessity of their protection as autonomous communities through the Sixth Schedule. The growing demographic and related socio-economic changes made it emergent. Though the schedule secured two major hill tribes of the region, and

now three, a lot of the plain tribes and the non-tribal native people, however, remained outside the purview of direct constitutional protection making them more vulnerable and insecure.

It is in this context that the Assam Land and Revenue Regulation of 1886 was amended in 1947 at the initiative of Gopinath Bordoloi. A tenth chapter was added to the Act in the amendment. Paragraph 160 (1) of the Act (Tenth Chapter) states that "notwithstanding anything herein before contained, the state government may adopt such measures as it deems fit for the protection of those classes who on account of their primitive condition and lack of education or material advantages are incapable of looking after their welfare in so far as such welfare depends upon their having sufficient land for their maintenance" (Saikia 2003: 253). Section 162 (2) states that "Notwithstanding anything to the contrary in any law, usage, contract and agreement, no person shall acquire or possess by transfer, exchange, lease, agreement or settlement any land in any area or areas constituted into belts and blocks in contravention of the provisions of sub-section (1)" (ibid: 255). Lands constituted into tribal belts and blocks would be "neither alienable nor transferable in any manner" (ibid). In reality, however, the Act has by far not been able to provide any substantial protection to the concerned people.

In my own extensive field visits, two leading autonomous councils (Rabha and Tiwa) expressed their dissatisfaction over incessant loss of land even in the belt and block areas to big invasive capital and mostly to the still unabated migrants from East Bengal region. Tribes have been constantly struggling to achieve autonomous status. Three more tribes, apart from the Bodos, became autonomous in 1995. Subsequently they formed their own councils for protection of their traditional rights over their lands and resources in the context of their increasing marginalisation. These are: the Rabha Hasong Autonomous Council, the Tiwa Autonomous Council, and the Mishing Autonomous Council. Many more indigenous communities still struggle for protection of what is and should be justly theirs.

The two following chapters deal with the indigenous communities of the Rabhas and the Tiwas, respectively, offering historical accounts, emphasising their land-holding patterns and customary practices, and trying to put these developments in the context of changing socio-economic conditions. These chapters are largely based on my field work, as well as available secondary resources.

CHAPTER 4

LAND AND LABOUR AMONG THE RABHAS OF ASSAM

This chapter is an attempt to develop a systematic account of the historical and socio-economic structure of Rabha society. It attempts to build a theoretical understanding of the community from the available oral and literary sources. It contains three major sections. The first section contains a historical account of the community and includes some popular narratives and legends.

The second section then presents a reading of some important customary socio-economic laws and practices, and their evolving nature in the changing economic context. These customary practices have also been studied here as oppositions to capitalist appropriations, in line with the arguments presented in the earlier chapters. This reading is based on two primary features:

a) the centrality of the community or the collective within the Rabha community, and

b) the emergence of the rubber economy since the past few decades.

The final section is a brief engagement with the constitutional struggles of the community and their attainment and experiences with autonomy through the RHAC (Rabha Hasong Autonomous Council).

Introduction

Charcoal grey roads beautifully lined with tall Sal trees on both sides lead to the town of Agia in Goalpara district. This seemingly long of sequence of Sal trees are but few dwindling remnants of once rich forests of Goalpara. They are however more deceptive than they initially seem as we shall see later. Agia is an emerging town in the district of Goalpara. It is from here that I conducted my research and spent most of days and nights of my field study, and it is also here that my acquaintance with the Rabhas grew into friendship and camaraderie. Dudhnoi is the place where the Council (Rabha Hasong Autonomous Council) head-office is located. Therefore for access to documents and official datas and information I also had to spend considerable time at Dudhnoi. My study of the Rabhas has been mostly based in Goalpara and parts of Kamrup district as these are the

places with concentrated Rabha population. People from the community can however be found scattered over many neighbouring districts in Assam as well as some areas of North Bengal. Popular memory also informs us of Rabhas having originally come from earlier Shonitpur kingdom and now Tezpur district. Rajen Rabha, however, also writes that the Rabhas inhabit in greatest strength in the undivided Goalpara, Kamrup, Darrang districts of Assam, and also the Garo Hills District of Meghalaya. "The Rabhas are also found scattered in Nagaon, Sivasagar, Karbi Anglong, Dibrugarh, North Lakhimpur And Cachar districts of Assam, Khasi district in Meghalaya, as well as the districts of Purulia, West Dinajpur and 24-Paraganas in West Bengal" (Rabha 2002: 2).

In the last three years, I have gone to Goalpara thrice and stayed for five weeks. The first visit was to Dudhnoi, the head office of the Council. Here I met and got acquainted with most of the office bearers and leaders of the Council. Many active members of ARSU (All Rabha Students Union) helped me during my stay there and in knowing the Council operations and acquainting me with some Rabha villages of the area. The next two longer visits were centred around the town of Agia where I stayed at the home of Lalita Rabha and Madhav Rabha, a kindergarten teacher and a senior agriculturalist respectively, both activists. It is here in Agia that I met most of the rural Rabha agriculturalists. Satish Rabha, Bistu Rabha, Debananda Choudhary, Ashok Nath and others along with Madhav Rabha himself were my constant guides in all my trips to the various Rabha villages. In their guidance I could cover a wide range of Rabha villages in the entire Goalpara district.

In my field work, I found that the Rabhas invariably speak Assamese as their common language. Many Rabhas, however, use Rabha language in their mutual interactions. I found them using it quite frequently among themselves. The Rabha literary organisations also have grown very active and many people have started writing in Rabha now. However, since almost all Rabha people are well adapt in Assamese language and commonly use it in communication, I had no trouble of any sort in my interviews and interactions during my field study. In fact, so integrated are they with the Assamese language, that the largest section of their community, the Pati Rabhas, have for long stopped speaking the Rabha language altogether. Though some literary sources were available in English, most of the translations from Assamese to English have been done by myself in this study.

A Brief Historical Account of the Rabhas

Rabhas are some of the oldest inhabitants of Assam. They are the first peoples to have come to these parts of Assam, what today we call Goalpara and Kamrup, from different neighbouring hills,

and thereby they became the aboriginal (in the sense of being the first residents) inhabitants of the place. They have been the traditional owners of these lands and forests which they have been taking care of very sincerely. As a community the Rabhas have traditionally been oral people. Most accounts of the past histories and narratives have been passed on from generation to generation in the form of tales and chronicles. Most of their historical past therefore survives in the memories of the old and learned of the community. It is only recently that attempts have been made to write chronological and documented history of the community in the manner of popular history writing. However, much ambiguity remains regarding many different accounts. What follows is an attempt to develop a brief historical outline of the community based on the few written accounts available and the many narratives that I could gather in my conversations with the people of the community.

The people whom I specially met and talked to during my visits to the Goalpara district are not only elderly with a trail of long experiences, but also very much informed about the socio-economic history and present day realities of their community life. They are held in very high respect and confidence in the Rabha society and often looked up to as authorities in matters concerning their society. All of them are more or less agreed in their understanding of the community's past and its present day status.

Listi Ram Rabha, 68, a retired headmaster of the leading high school of Baida area, Nehru Vidyapith High School, and present principal of the Baida Junior College, believes that Rabhas are a culturally forward and socially diversified community. But he admits that, "The Rabhas do not have a written and chronologically documented history. Whatever we know about our past has been passed on from one generation to another. I have known much about our past from my own family".

Khagendra Narayan Barchung of Choibari village, who is now 84 years old, but still stout and energetic, takes immense pride in the identity and strength of his community. In his own words,

> "The Rabhas are an aboriginal community of the region. We have been one of the first to come to these areas and begin inhabiting these lands clearing the forests. We have had glorious historical experiences. We have lived in more or less egalitarian societies where men and women occupy equal position. Administration has been collectively handled by the elders of each village (women and men both) and embodied through the position of the village-headmen. The caste-Assamese society has not been fair and just to us. Once Sanskritised and Hinduised, the Assamese consciously kept us away from reading the holy Hindu texts like Ramayana and Mahabharata, or take part in any ritual. We have also been deprived of the educational and other developments. As such we have never had any written historical narrative of the community like the rest of the Assamese community. We have traditionally been an oral community. What we know of ourselves has been passed on aa stories and narratives since the earliest days from one generation to other. What we know about our selves is from memory and from these traditional community".

The distance of the Rabhas from the caste-Hindu Assamese and the exclusiveness of the latter, which was initially regarded with some resentment, now is largely considered to be a blessing by the large section of the Rabha people. In Barchung's conversation itself, he appeared to be quite aware of the hierarchies and oppressiveness of the Brahmanical order, and expressed to be proud that the Rabhas were free of it. This distance from the Sanskritised culture seemed to be quite positively regarded by most people I met in my field work. The infrastructural deprivations, however, they were very front to complain about.

Nitai Rabha of Borjuli village, who is a retired teacher with a good amount of historical information, has a distinct oral narrative about the early migration of his community in the distant past:

> "The Rabhas are originally a hill tribe who came down to live on the plains from the Garo hills, approximately a thousand years ago. Even before that, our ancestors are believed to have come from what are now Tibet and Burma and temporarily settled in present day Tezpur. From Tezpur they came further South and permanently settled in these areas in and around Goalpara. As such we have been the first people to come and inhabit these lands. The adaptation to life in the plains had been very gradual best reflected in the transformation from jhoom cultivation to agriculture on the plains. We began by adapting to paddy cultivation. Rabhas have grown many types of paddies like shali, ahoo, bao etc. The Rabhas established a strong and flourishing kingdom here. The capital of our king Parshuram was located at Solmari. The boundaries of the kingdom extended from the Brahmaputra in the north to Meghalaya in the south and Samnagar in the west to Mirza in the east. This kingdom was divided into a few zamindaris. The zamindars were like small kings. The Rabhas cultivated on lands owned by both themselves and the king. This system continued mostly unaltered during the British colonial administration. When the wave of freedom struggle against foreign administration spread, rabhas did not stay behind. Many Rabhas actively and whole-heartedly participated in the freedom struggle under the leadership of our local leader Khagen Nath. Bahadur Rabha from Borjuli, Cherok Rabha from Rampur, Kalairam Rabha from Doroni, Bregram Rabha from Doroni, Shivacharan Rabha from Chotadamol are but few names I can recall right now. Our freedom fighters never came into the official registers for not having been caught and imprisoned during the British rule. As such they remained unnamed and unacknowledged even after in independent India".

Lupta Rabha of Dochorapara village in Matia circle is a very old man who has already seen 110 springs of his life. He explains that he was named lupta (lost or extinct) because just before his birth his grandfather had fallen into a lake and died. His verbal summary of his century long experiences was nothing short of a living history of his entire community. He recollects:

> "I was born in the early years of twentieth century. I was named *"Lupta"* which in English means to have been lost because just before my birth my grand father had fallen into a lake and died. From my early childhood I remember hearing and seeing how our people settled in these areas. They by cleared forests in the area for inhabitation and farming. From that I know that we were the first people to have come to these areas and inhabiting these lands. For a long time zamindar owned

> most of the land we used. Today I own ten bigha agricultural land three of which I got from my father. The rest I earned gradually. I have two sons and six daughters. All of them have been married. The two sons live with me now and handle the agriculture. I had actively taken part in farming till last few years. But now with my growing age my family does not let me go the fields for farming any more. I however still go out for fishing and to our neighbour's houses." He continues, "The Rabhas established a strong kingdom in these areas. I remember tales of our great king Parshuram. His son is popularly known in the community as the 'khorikotiya' raja. *Khorikotiya* means wood-cutter. He got that name because he is known to have cleared forests on one whole hill in a single night. In those old days when our community had just begun settling in these areas clearing forests for human settlement and agriculture was considered to be act of bravery, courage and strength. The Rabha state spread over a large area. It extended from Meghalaya to Man Cachar and from Abhayapuri to Mirza. The Rabhas hence descended from the hills to the plains and established a strong kingdom here around the area of Kalyanpur."

It transpires from the oral deliberations and other written materials that the origin of the Rabhas has contested narratives. Nonetheless, the Rabhas are largely known to be an Indo-Mongoloid ethnic group. They are believed to have largely been part of the larger Bodo tribe. Popular legends inform us that the Rabhas came from somewhere around the Tibetan-Himalayan region. As Rajen Rabha writes, it is commonly believed that the *Rishi-Bay* or the *Lord Rishi* lives in the *Rang-Kareng* (similar to the idea of heaven, believed to be situated around the Tibetan region) created the world. He created the human race into different groups and one of those groups that consisted of three brothers — Bingga, Ringga, and Raba — was brought down to the world. The third group was believed to have been the most important one. This Raba group over time became the Rabhas. The word 'Raba' in Rabha language means 'to bring'. The Rabhas and other communities of Mongoloid race, Moni Rabha (2006) notes, came from the north eastern frontiers into India a few thousand years before the Aryans first set foot here.

The Legend of King Dodan

The most popular legend in vogue among the Rabhas is the one of King Dodan. The King Dodan is remembered as a very powerful king. He is popularly believed among the Rabhas to have been 18 feet high and 6 feet broad. Popular stories tell that he could beat any wild elephant with his bare hands and kill one with a single strike of his sword. According to the legends, King Dodan was a close relative of the great legendary king Bān whose capital was located at Sonitpur. Some say Dodan was king Bān's nephew and some others claim him to be Bān's son. The legendary Bān-Krishna battle (*Hari-Hara Juddha*) is now a part of folk tales in every part of Assam. As narrated in the last chapter, the story goes that Krishna's grandson Aniruddha had fallen in love with king's daughter Usha whose beauty was known to have no second. Usha's friend Chitralekha helped them

both get married in secret. Astounded and angered, king Bān, when he came to know about the secret marriage, captured and imprisoned Aniruddha. When Krishna was informed about Aniruddha's imprisonment, he immediately gathered his army and went on to attack king Bān and his kingdom. Bān was a known Shiva devotee. Shiva therefore came to help Bān in the battle. However, Krishna and his army emerged victorious, and as victor's spoils took away Aniruddha and Usha. Shattered and dejected at their losing the battle and not having being able to defend his sister Dodan left his father's kingdom in despair.

Far away from his father's kingdom, Dodan decided to establish a new kingdom that would prosper in peace and tranquillity, and help him forget the gloom of the lost war. For this he needed the perfect place where his people could live well. From here on Dodan started a long journey with a few of his close aides in search of a place where a new life could be begun and sustained for everyone and for a long time. His first halt was at a place called Aathiyabari. But this area was under the rule of a Brahmin ruler who did not like Dodan's presence and drove him away. Dodan moved to the Neelachal hills from Aathiyabari. Here he and his people established a thaan or seat for their goddess Baikho. But this place did not suit them and soon they resumed their journey in search for the perfect place of peace and tranquility. From here they moved to another hill named Baghmela near Boku (a town of present day Kamrup district on its western border). But harassed by the cruel ruler of that area Machamaru and unwilling to fight a battle at that time, Dodan moved again to a place near Rangjuli. Having not found the appropriate place that he and his people were in search for, they moved yet again. They moved further south and crossed a small hill called Aaduguri. They kept moving along river Someshwari (Chimchang) and camped at Balfakram. Then a group of the people bifurcated here in search for livelihoods and reached Tura. This section of the Rabhas settled there and over time became the ancestors of the contemporary Garos residing in those areas. Dodan and his people moved further west to Raangira hills. From here they moved along Jinjiram river and lived for sometime at a place named Paankintri located at the foothills of the Haatishila hills near Baida. Not satisfied here, the group made a yet another move. They came to the Darmang hills situated near what is now Rabhagiri. They settled in these foothills permanently. Dodan established his capital here and began his rule. The area where he resided is known as Darmang Sipu Chalek Hachu. Today we can find in these areas remnants of a number of architectural constructs built by Dodan.

Dodan lived the rest of his life in the Darmang hills and ruled from there. Dodan's queen was Nodai. His widowed sister Chompaimari and her daughter Tobou or Tooba Rani also lived with

them. Dodan and Nodai did not have any children. Tobou was brought up as their own kid and when she attained the right adult age Dodan began to look for a good partner for her. He found a prospective groom in a young lad in Solapur who was actually a prince living in disguise. He was Marukshetri. Dodan brought Marukshetri to his kingdom and married him to Tobou. He made Marukshetri the head of his army and handed over to him the responsibility of the administration his entire kingdom. Marukshetri built his fort at Halaidonga and named it Marukilla. Today the place is known as Marukura. Marukshetri also took over the responsibility of competing Dodan's fort that was being made.

After a couple of years of peaceful reign, one day news came about six of their tributary kings preparing for a revolt against Dodan's rule. The reason for such uprising is known to have been Dodan's rising power and his lavish lifestyle. These kings were Dodan's own relatives whom Dodan had established as rulers of small estates under his command. These kings were namely: Chamkrong, Bangkrong, Brek, Brok, Mermer, Murmur and Cikrang. The united strength of the six rulers and the suddenness of their attack could not be checked by Marukshteri. Both their forts were invaded and destroyed by the enemy. Broken at his defeat Marukshetri along with his wife Toba Rani are known to have ended their lives by drowning in the river close by. When the news of Marukshetri's defeat reached Dodan he came out with whatever arms he had to fight the invading enemy. But on reaching Tikirkilla, his fort, and not finding Marukshetri or Nodai anywhere he began to return to his palace. On his way back his enemies who had hidden amongst large stones stroke him with an arrow that hit his knee. Dodan fell off from his elephant and took his last breath. A large human shaped lake is known to have formed at this very spot where Dodan had fallen off and it is today known as Dodan-Dubi (dubi meaning lake).

The Society of the Rabhas

The Rabhas are divided into many egalitarian non-hierarchical groups or Mahari. Moni Rabha (2006) calls the Rabha society a Mahari-dominant society. However, how many groups they have been divided into, is a matter of contention. According to Rajen Rabha (2002) the Rabhas are divided into eight groups namely Pati, Rangdani, Maitari, Koch, Dahari, Butalia, Tola, and Hana. The Pati Rabhas are the largest group - mostly concentrated in the eastern half of Goalpara district, and western part of Kamrup district. They are a largely Assamese (non-Rabha) speaking group with closer association with the larger Hinduised Assamese society. The Rangdani Rabhas are

concentrated next to the Pati Rabhas in western and north-western Goalpara as well as northern Garo Hills. Maitari Rabhas lie further west to the Rangdanis. Dahari Rabhas inhabit among the Rangani and Pati villages. The south-western Goalpara is more inhabited by the Bitalia Rabhas. The Totla and Hana Rabhas inhabit regions of undivided Darrang and Kamrup districts while the Koch group is concentrated in the western-most regions of undivided Goalpara district and the adjacent areas of North Bengal. However, the views about these divisions vary. In my interviews across many Rabha areas I found varied views regarding these divisions.

Listi Rabha, whom I have referred to above, holds that,

> "They have structured their social life very systematically into different categories for prosperous and peaceful coexistence. They are divided into twelve non-hierarchical and largely egalitarian branches. These groups are popularly known as *khel*. They are: Rangdani, Maitory, Pati, Kocha, Dahori, Totola, Bitola, Hana, Halowa, Sunga, Hajong, and Modahi. These groups are fairly distributed throughout the Goalpara district and also in the neighbouring areas. The Pati rabhas are the largest group among all. They have left their traditional language and now widely speak colloquial Assamese as an attempt to be closer to and assimilated within the larger Assamese society. There is no bar on any marital relations for the Rabhas except with the beaf eaters (traditionally specified for the Garos). The Garos being rival to the Rabhas in many societal aspects, especially with their easy acceptance of the British religion, have not been very popular among the Rabhas. However in case of any inter-communal marriage happening, the newly add groom/bride is adapted into their community and henceforth regarded as their own. It must be mentioned here that, the Rabhas are neither totally matrilineal like the Garos nor totally patrilineal. Inheritance of land and property has traditionally been patrilineal in the Rabhas meaning the sons became the heirs to the father's wealth. Maternal property, however, totally belonged to the daughters. So much for the patrilineal aspects. In case of identity, the Rabhas are totally matrilineal. Every person belonging to the Rabha community is known by his/her mother's identity and her surname".

Khagendra Bauchung, too, subscribes to the same view about their society. He clarifies that the identities of the Rabhas are absolutely matrimonial while property passes on along patrilineal line, and that they have lived in more or less egalitarian societies where men and women occupy equal position. Administration too is collectively handled by the elders of each village (women and men both) called as village heads.

Rabhas stand in an interesting position with regard to their matrilineal status. In this they differ from both their neighbours — the Kacharis who are completely patriarchal and the Garos whose society is entirely matriarchal. Rabhas get their identity from the mothers. Their surnames and family identities come from those of the mothers. So, the *mahari* of every Rabha is determined by the identity of the mother they are born to. However they get their inherited property and land from the fathers. Inheritance traditionally has passed from the fathers to the sons. About this complex system of inheritance, Rajen Rabha writes, "Rabhas are matriarchal only in respect to their clans

called barai, but matri-patrilineal in respect of their inheritance. The Rabhas follow patrilocal rule of inheritance and sons inherit the property of their fathers though they take their barai or clan names after their mothers. Thus the Rabhas depict a matri-patri-complex, the study of which is quite important from the sociological point of view and the interesting socio-cultural pattern gives it a distinctiveness from other tribes of Assam" (Rabha 2002: 16). The children born out of illegitimate ties are known as "*Jarua*" or *Jaroj*, It is interesting to note that, as Moni Rabha (2006) mentions, even in case of children born out of relations that were not established through a social marriage, if the mother of the child makes the father known or lets the society know of the fatherhood, the child is accepted as legitimate by the society and is given its due right and identity from the mother. Important here is the fact that the legitimacy of a child's identity is decided here not by the acceptance by the father but by the mother. The name, identity and the social existence of every Rabha at the final instance is determined by the mother.

On the basis of religion the Rabhas can broadly be grouped into two categories, namely those who got converted to Hinduism or Christianity, and those who largely continued to embrace the traditional tribal religious practices. Hinduisation was believed to bring the tribal people into the fold of the larger Assamese caste-society. As such some new rules were introduced into the Rabha society to maintain the sanctity of the Hinduised Rabha society. For instance, these Rabhas are not supposed to interdine with non-Sanskritised Rabhas. Family rituals and ceremonies are supposed to be performed by Brahmin priests in accordance with Hindu customs. Rajen Rabha writes that this group of Rabhas give up the worship of their primitive deities, ceremonies, ritual festivities and customary laws and so on. In practice, though, we do not see much stratification on religious lines among the Rabhas. Those converted to Christianity are imposed with lesser restrictions compared to the Hinduised Rabhas. In any case, the Rabha society and customary laws have evolved to a large extent in the context of ever growing influence of the Hinduised Assamese society. "It is evident that the non-Sanskritised Rabha people of all groups also have already been influenced by the neighbouring Hindus, and as such, they are trying to modify their age-old customary laws into the Hinduisation process and the Hindu-social elements have also penetrated their customs" (Rabha 2002: 20).

The administration of the Rabha society has always been organised in very democratic ways. A village head is popularly elected by the people of the village to oversee the administrative matters. The village head is also known as *Mandal*. Many Bhuyans, who were the major land holders, emerged as strong mandals at some point of time.

The legend goes that during the time immediately before king Vishwasingha established the Koch kingdom, to deal with the growing anarchy in the neighbouring areas, the Rabha villages elected a Bhuyan Mandal who was emerging as a powerful and able administrator. Hariya mandal was elected by all the twelve neighbouring villages and their Bhuyans as their leader. Hariya mandal is supposed to be a descendant of king Hoi Hoi as mentioned in Doronga king's family legacy. As it goes, ancient Chandravanshi king Hoi Hoi's son Sahashrarjun went out on hunting one day with some of his army men. The night descended while they were on hunt. Therefore Sahashrarjun went over to saint Jamdogni's ashram which was close by. Jamadogni was king Poroshuram's father. Jamadogni had a cow named Kamdhenu which supposedly could fulfil anything its owner wished for. Having been treated well with rest and food, Sahashrarjun set off with his people. But while leaving he forcefully took away Kamdhenu in spite of Jamdogni's warnings. On his return Poroshuram got to know from his father what had happened. Angered at Sahashrarjun's act, Poroshuram followed him, killed him and brought back Kamdhenu home. Then Poroshuram set off on another holy journey. Sahashrarjun's sons now secretively attacked Jomodgni's ashram, killed him and took away the cow as a revenge for their father. On his return, Poroshuram came to know about his father's murder and got infuriated. He then set off to make the worldd free of Kshatriyas and killed all the descendants of Sahashrarjun. Many princes ran away from the palaces and landed off at distant places among various people. They got married to local women and became part of these societies. Haria Mandal is known to be a son born to one of these princes. However all this is what is known from the popular narratives and cannot be historically established with evidence. Nonetheless, it is widely believed that the twelve maharis or groups of the Rabhas were formed from these twelve Bhuyans.

Moni Rabha writes that it was during the freedom struggle that various religious practices like Chaitanya Dharma, Shankari Vaishnav Dharma, Baptist Christian practices, Catholicism etc made inroads to the Rabha practices (Rabha 2006: 16). External religious practices began changing the Rabha society to a great extent right from the time before independence and its immediate aftermath. Many Rabhas converted to Chaitanya Vaishnavism, Shankari Vaishnavism and Sanatan Dharma, and subsequently folded their social identities. They changed their names and took up Hindu Assamese surnames. These sections of the Rabhas left their indigenous Rabha identity to be a part of the larger Hindu Assamese society. This can be actually be seen as religious-political move by the Assamese Bhakats and Bengali religious gurus. These Rabhas who converted into various other religious identities never however were fully accepted into the larger society. There is a

narrative that is popular among the Rabhas that there were two brothers named Bishu and Shishu. When they became kings in the fourteenth century they converted into Hinduism and made the people under their rule accept Hindu religion. Since that time till King Naranarayan's time this process continued to gradually expand. With the emergence of Shankardev as the religious leader of Assam gave this process a new life. This was fifteenth century Assam. The dream of a united Assam that inspired Shankardev to bring together different indigenous peoples of Assam into one identity, one religion, and one language was not only relevant but progressive for those times. But today the society, demography and the political economy of the area is altogether different. Such attempts at unification also has not worked very well for the Rabhas. Creating one identity has led to covering up of multitude of indigenous tribal identities. No attempts were made to study these societies or chronicle their histories. Yet we fine some attempts here and there that talk about us. For instance French scholar of sixteenth century Mirza Nathan in his Baharistan-i-Ghaibi mentions about the glories of Rabha king Poroshuram. Though Rabha kingdom had shrunken greatly by this time, we can find an account of the Rabha society here. Below is a brief analysis of the customary economic practices of the Rabhas.

The Economy of the Rabhas

Very little work has so far been done on the economy of the Rabhas. This brief account of the economy of the Rabhas is based on the few accounts available and my own field study as well as first hand reports. The Rabhas being one of the indigenous communities, the lands in these parts of Assam had been but forests when they came to inhabit these places. They cleared some of these forests for habitation and agriculture. It also must be mentioned here that for centuries now these people have been guarding, protecting and taking care of these forests. The Rabha idea of life and existence is based on the sustenance of the forests.

The Rabhas are primarily an agricultural community. Paddy has been their staple crop. Among the different paddy crops, 'Ahu' and 'Sali' varieties are primarily cultivated here. 'Ahu' is largely cultivated in high land and 'Sali' in low land. Apart from paddy other popular crops among the Rabhas are sugarcane, tobacco, jute, chillies, pulses, sesame, mustard, ginger, turmeric, cabbage, potato, brinjal etc. They also plant various kinds of bamboo as well as thatch to meet their household purposes (Rabha 2002: 179). Many horticultural products ranging a wide variety of fruits are also commonly found among the Rabhas.

But it is seen that the traditional agriculture has not been able to bring adequate economic upliftment of the Rabha people. Rajen Rabha writes that "agriculture is the basic source of income of the Rabha people. They depend mainly on agricultural products. All sorts of their expenditure are managed out of agricultural income. A few educated persons in service however have improved their economic condition to a certain minimum extent. Business is rare and industrial firms are non-existent among them. But with the change of time the agriculture-based economy of the community has now broken down for many reasons and the majority of the population are sunk in indebtedness and poverty. Most of the people of the community have no land of their own to cultivate" (Rabha 2002: 183). The mode and method of traditional agriculture have not changed or developed and most of the Rabha peasants engaged in cultivation of rice etc. have remained poor, indebted or landless.

The agricultural economy of the Rabhas, like other communities, had undergone an ostensible change after the occupation of the British colonialists. Listi Rabha recounts the change he has experienced in his own life time:

> "The Zamindari system existed before the arrival of the British and to some extent even after British established their administration in the area. However, we cannot draw a straight analogy of this system with the zamindari system prevalent elsewhere. We have to keep in ind that these small zamindari estates did actually behave like small kingdoms. The owners/rulers of these estates were less akin to the zamindars and are closer to the idea of a king. So, we can say that various Rabha kings and princes ruled small kingdoms of which they were the largely unchallenged land owners. The people inhabiting these areas lived and worked on those lands, and they paid the king in labour or crop. Rabhas being the aboriginal inhabitants of these areas, these are the only forms of land relations we know. These feudal relations, however, now no more exist. Today we have individually owned lands and the large forests that our community has collectively owned and protected. Jhoom cultivation has been very popular among our neighbouring Garos who have owned their land collectively. And we can find in many instances remarkable influences of those practices".

Khagen Bauchung is more elaborate in this respect.

> "The Rabhas have traditionally lived under different zamindaris. The three largest and most well known among them were Lakhipur, Bijni, and Gouripur. Our part of the community (Agi fa area) were within the Lakhibari estate. The zamindari estates were more like the kingdoms and small states. The king himself acted as the zamindar. The Rabha kingdom is believed to extend over a large area up until the British occupied Assam. In fact the kings continued to exist and function even bring British rule. With the fixed tribute/taxes that the kings had to pay the British administration, these kings largely maintained their autonomy. The Rabha kingdom is known to have extended from the Brahmaputra in the north to Man Kachar in the south and from Mirza in the west to Tura in the east. One of our best known king in King Shambhor who established his capital in Kalyanpur. There is still a lake in Kalyanpur that bears testament to the rule of this king. He is believed to have been a contemporary of Emperor Akbar.

Another king of the Rabhas who is still very popular is King Parashuram form the times of Pancharatna. The last king popular in the memory of the community is King Dodan. We held a barter economy under our rings for a long time. Use of money was introduced and became popular only with coming of the British. The advent of coming of the British was in many ways the first time we had had come in direct association with the mainland India. The British had entered into mutual understanding with our zamindars/kings which had left our areas relatively autonomous. In 1951 the independent India abolished zamindari system. Feudal ownership of land legally ceased to exist. The land was distributed among the people as they had been using it. Personal ownership of land became the norm. We however firmly established cooperatives and community ownership in most of the economic aspects. India's independence hardly had brought any change to the socio-economic aspect of the Rabhas.

Our lives continued to exist in extreme poverty and almost absolute lack of assistance from the government. In such circumstances the community was our best way to survive with some dignity. The best example of such so-operatives is the concept of community granary. To fight private money-lenders from entering our tribal society and also prevent our people from dying of hunger we started establishing community granaries in every village. Everyone has to contribute a part of their produce to the granary. Grain was given to the needy as debt as decided by the people of the village at some nominal interest. I can proudly say that not a single Rabha has died of hunger. A second aspect that has absolutely changed the political economy of the Rabhas in the recent times is the introduction of Rubber cultivation.

Today rubber and rice have become our primary products of agriculture. Our community today faces an increasing number of challenges. There is a seriously threatening demographic change. In our Lakhipur area, today there are only about fifty Rabha villages. In our Jaleshwar constituency out of a total population about 1,60,000 people only 34,000 are Rabhas. And these are the areas that have been overwhelmingly (we can say totally) indigenously inhabited by Rabhas. To add to that is the growing challenges of big corporations aided by the government. As our economy started growing with rubber cultivation, big corporations have been attempting to capture our lands and forests. The state government has not been much help to us and indeed time and again have sided with the capitalists with the big money. But Rabhas have lived and loved this land for a very long time now. And we shall not give up now. Rabhas will fight for their land"!

Lupta Rabha speaks out his own experience.

"Today Rabhas still live in the very areas that we have been indigenous to. With independence, feudalism came to an end. Today agricultural land is largely individually owned and maintained. However , this transfer of ownership from feudal lords to individual farmers did not bring us much change in our socio-economic condition. Independence hardly changed our lives. So, to fight our poverty and maintain our self-sustenance as a community we also have kept the community aspects of our economy intact.

The best reflection of that is **the institution of public or community granary** that we established formally right after Indian independence. These ideas were as old as our community. During independence we all formalised these practices. Every village has at least one public granary. These granaries have saved the Rabhas from hunger and have prevented the in-roads of money-lenders and associated indebtedness within the community. Today rubber growing has became the yet new collective venture of the economy. And this is also the first time the people of our community have seen use economic profits, and everyone in our community who has participated in this community endeavour is a part of it. I myself along with my family is a part of both individual and collective rubber growing and currently await for our trees to grow and bring us some relief".

Fishing and hunting has been traditional to the Rabhas though hunting had increasingly withered away as they settled down as agricultural community. Interestingly, in both agriculture and hunting, any gendered division of labour is hard to be found. From a remote past, a custom has continued that every adult man and woman must participate in hunting in the forest (Rabha 2002: 179). Pregnant women are also supposed to take part. In return she gets her final share in double. Even to this day, as I saw and heard during my stay with the Rabhas, women and men work together in the fields and elsewhere.

Animal rearing is another important part of the Rabha economy. Cattle, goats, pigs, buffalos are the most popular domestic animals. They are largely used for agricultural purposes. Though traditionally they abstained from milking their cattle, milk and milk products are very common in every house hold today. Rabhas also rear fowls, geese, ducks etc. Cats and dogs are also popular pet animals.

The art of spinning, weaving and dyeing has been with the Rabhas for a very long time now. And this is one activity that is seen to be confined to the womenfolk of the community. According to Rajen Rabha the family loom is one of the most essential items of their domestic life (Rabha 2002: 180). Both '*Kaum-Chimprang*' (loin-loom) and the '*Shal*' (handloom) are commonly found. They work on and spin both cotton as well as silks. They have beautiful designs that they weave into the clothes. As for dyeing, they use a number of natural ingredients to bring colours into the fabric. Barks of 'Asu' tree are used for the colour yellow, 'Haritaki' tree for violet, 'Sidai' tree for light violet, 'Jia' tree for black, Jack tree for deep yellow, 'Niri' plant for indigo, and 'Asu' and 'Niri' mixed together for green. Leaves of 'Jetuka' plant or Indian henna are used for red, and these leaves are mixed with the 'Asu' bark for orange and with 'Niri' bark for a violet colour. Now-a-days however artificial dyes are increasingly being used in dyeing.

Today, the Rabhas are making renewed attempts to overcome their age-old economic distresses. Unfortunately, all they have in their side is their own camaraderie. The state has not aided them in adequate measure. On the contrary, by facilitating the intrusion of capitalist enterprises into their society the state has been doing more harm than good. The Forest Department of the Government has but ruined the forests over the decades. The dwindling forests are now taken care of by the people themselves. Side by side, they are also planting rubber in a big scale in the open and denuded tracts of highlands. The Forest Department, however, is not in favour of the Rubber plantation and, practically, has not let them be at peace. But the Rabhas are fighting hard with

determination. An old man told me during my visit, raising a firm fist, that the Rabhas shall not lose the fight for their existence and dignity against capitalism, the state and whatever else may come.

Community Spirit among the Rabhas

This section deals with two central features of the Rabha socio-economic practices that make their customary economic life stand out as a domain of multiplicity, openness and heterogeneity. The first aspect talks about the dominance of the community or the collective in the customary economic life of the Rabhas. The second is the introduction of rubber cultivation into their present economy.

The community has a primary place among the Rabhas. Land and forests have been regarded as belonging to the the community as a whole. While the Rabhas maintain individual households and agriculture, their collective responsibilities towards each other and towards the nature is integral to the Rabha way of living.

In the course of my field work, I came across two attempts by the Rabhas to bring back the spirit of the community in their fight against capitalist corporations and at many points of time against the state itself.

The first instance is of large scale introduction of "Rajohua Bhoral" or Public Granaries. In an attempt to fight against money lenders and corporations, the first modern public granary was introduced and built in 1948, shortly after independence. Surendranath Halo, then a member of the Revolutionary Communist Party of India (RCPI) was one of its primary founders. It has been already mentioned above in the various conversations I had with different people. This aspect of collective granary was highlighted in almost all the conversations I had with different people which have already been mentioned above. The interest of borrowing was minimal and had to be paid in kind. For instance, if one borrows four sacks of rice grains s/he would return one sack more. This idea of public granary helped Rabhas to keep themselves almost absolutely free from money lenders and private loans. Over time the number of such granaries grew. Today every Rabha village has at least one public granary. Now money can also be exchanged for the sacks of grain. Today we also see a large number of public granaries for women in many villages. These granaries are exclusively for women and aim at supporting their entrepreneurial or agricultural endeavours. Thanks to the growing economy of the Rabhas, they say they have not had to loan out from these granaries in the last couple of years. The grain, therefore, from the granaries are given out to the families on a compulsory basis so that new grain can be stocked. Two things the Rabhas are very clear about in

regard to their granaries: one, that these granaries shall not be replaced with banks that deal with money since their idea is not let anyone go hungry ever in these areas and therefore, food not money is what they are concerned about; and two, no matter how obsolete they may seem today, they are never going to let the public granary go away.

Listi Rabha, in his interview, explains the great importance of the collective granaries:

> "There is another aspect that has traditionally been with the Rabhas and has strengthened the spirit of community among them. This is the institution of collective granary. Every Rabha village has had a public granary. Living and evolving in the context of a zamindari system, the Rabhas have known poverty and hunger very well. Therefore their primary goal as a community has been to fight this as a community. Public granaries provided grains to the needy at a minimal interest that went back to the community itself. Such practices have kept private money-lenders at bay. In the last few decades we have seen coming up for new pubic granaries excessive for women. These granaries help and support women in their household needs as well as entrepreneurial and other economic ventures".

The second instance of their collective life is their adherence to the community farming. In almost every kind of agriculture the Rabhas are going back to the practice of farming together. Acres after acres of land, deforested by the Forest department through carelessness as well as because of corrupt practices (these were largely forests of Sal tree which yields very expensive wood), have now begun to be cultivated by the people together as measures of land conservation, increasing agricultural production, and most of all to stop the entry of capitalist firms into their lands, something the state has incessantly pushed for. One area that I visited in this regard demands special mention. The people of area of Rangjuli that consists of three main villages of Dhanubhanga, Shildubi and Noapara have been collectively farming on an area of over 2000 bighas of land. Different types of crops like broom plants, banana, rubber, paddy, tea, bamboo and oil palm are cultivated here. Different tribes of indigenous people live and work together here: Rabhas (largest group), Bodos, Garos and Rajbonshis. However, in 2016 the Rabha Hasong Autonomous Council Chief along with the state government confirmed a massive corporate project to be established precisely in these 2000 bighas. Both the Council and the state government have been ignoring the pleas of the villagers. The people have even found and communicated about an alternative site, not far from the current cite, which also is over 2000 bighas (Madang part II) of uncultivable land. All these suggestions have been ignored so far. A Land Protection Coordination Committee (Dhanubhanga) (Bhumi Surakshya Samanway Samiti) has been formed by the people. The fight is ongoing.

The Rubber Plantation

A new aspect of the socio-economic practices of the Rabhas has been their indoctrination into rubber plantation. Within a few decades, rubber cultivation has now emerged as the bedrock of their entire socio-economy. An account of it follows.

Decades of deforestation had left most of the Rabha areas, primarily Goalpara, bereft of its indigenous forests. These lands were fast turning into wastelands. More importantly these were becoming the easy targets for capitalist intrusion. Beginning from the mid-1980s, the Rubber Board of India started taking keen interest in these areas and started promoting rubber plantation among the local indigenous people — the Rabhas. Goalpara at this time was one of the most backward districts of Assam. Initially reluctant, rubber has been now embraced by the Rabhas as their primary occupation. However, the main feature of rubber plantation in this area is that it is largely collective in nature and initiated by the poorest of the farmers pf the region and hence is an all-inclusive project. The narratives below give us a comprehensive picture of what rubber has done to the Rabhas.

Prashanta Barua (Field Officer, Rubber Board), in his interview, was very specific about the rubber plantation in Goalpara district. According to his information, the Rubber Board was established in 1985 and it started functioning fully from 1986-87. Prior to this a non-commercial department was put up by the Government with the motive of soil conservation.

When the Rubber Board started functioning in Assam, it began taking projects that were location specific. Upper Assam seemed to be promising. However, this is also the part of Assam where tea cultivation is extensively practised at both smaller and larger levels. Therefore the Board chose as its experimental case the district that was the most backward in Assam at that point of time - Goalpara. Also, since this was a district that had been largely inhabited by the indigenous tribal people, the community approaches prevalent among them were considered to be favourable for such a venture. The first of the rubber stems were given out to farmers in 1987. There were few willing. However by 1995, this had become ‘revolutionary’. The same projects were started in Tripura almost at the same time and with equally jubilant results, more so because of the support of the government there.

Barua further adds that it is important to note that rubber has been cultivated so far only in wastelands and open unused lands. Forest and agricultural lands have been left untouched. Thanks to the considerable deforestation that had been taking place since few previous decades, open lands

were not hard to find. In 1996 Group Planting Scheme was introduced by rubber board. Inspired by the community way of life prevalent among the Rabhas rubber cultivation began to be done groups. Group Nurseries were also started to be established. Community approach led to over 80% success rate in rubber cultivation. Growing number of people associated with the rubber economy bear testimony to that. Life Permits for rubber growing are given to cultivators based on their success with rubber plants. Till 1996 there were 65 rubber growers with life permits. Since then, an average of 200 rubber growers are being added to this tally every year. Today there are more than 15000 registered rubber growers.

One of the best examples of community or collective farming is the Ghengabari Rubber Plantation. With its scientific work allocation this farm has created an exemplary picture of collectivisation of agriculture. Rubber plantation in Goalpara generates a total annual income of more than 60 crore. The people of Goalpara and the Rabhas especially, who had been perennially neglected by the administration and the government, have now begun to change their economy themselves as a community.

As regards the challenges faced by the rubber growers in the district, Barua observes that rubber growers face many challenges. Land pattern is very disturbing in these parts. They can be seen to be largely of three types: low land, occupied land and forest land. Thanks to the forest departments' opportunistic neglect and decades of deforestation, Goalpara's rich forest cover has dwindled severely over the years. The non-cooperation of the state government and the forest department has made the things more difficult for the peasants. There is a constant threat of eviction. On the one hand the Forest Department scores on the growing green cover seen Another problem that the rubber growers have had to face is sale of their product (the rubber sheets) and getting good price. Ajagar Social Circle, a local NGO turned buyer gave them one of the first place to sell the rubber sheets in good prices. Today there are numerous competitors in the market. Rubber board provided many subsidies to the growers. Now no such projects exist anymore.

I also had substantial conversations with a number of the first-generation rubber growers of the community. Some of these narratives are very illuminating. Madhav Chandra Rabha, an elderly agriculturalist from Agia and my host, describes how he was drawn to rubber cultivation:

> "It was in 1988 when I first came to know about the Rubber Board and the prospect of growing rubber as a source of income. A few people here and there had started planting stems that they got for free from the Board. Growing paddy was turning out to be insufficient to look after the family. I planted my first few rubber plants in a small piece of land, more of a dune actually. Pradip Goswami, then the Field Officer for the Rubber Board helped me lot to get the stems and start a

> farm. We also collectively started a rubber farm in Ghengabari. In the meantime I had started working at a rice mill in Bordamal as the economic condition of my family was getting no better.
>
> As is known rubber plant takes about seven years before it can be tapped for latex. I started tapping in my farm in 1997. It was quite difficult initially. Since I was one of the first of the rubber growers in the district there was difficult to find any help. Not many people were available who were trained in tapping. It was also very difficult to find a dealer whom we could sell our products in good prices. We had to travel to nearby districts (like Bongaigaon) find a place to sell. Ashok Nath and his AJAGAR's entry into the latex market around 1999 provided us the first opportunity to sell our products in decent price. I started selling latex at the rate of Rs 28 per sheet. It rose to as high as Rs 200 per sheet a few years back. Now it stays at an average of Rs 200 pee sheet. We used to sell scraps initially at Rs 10 per kg. Now we sell it at Rs 60-70 per kg. The Rubber Board has been a constant support to all the growers. Pranab Goswami, who succeeded Pradip Goswami as the Field Officer, is closely associated with us both personally and professionally. I took about 20 more hectares land in list for extending my farm. AJAGAR has from the very beginning through various ways encouraged farmers into rubber cultivation. They organise competitions for farms awarding the best ones and have initiated many such incentives".

It is very remarkable to note that in Goalpara district the rubber plantation developed from the beginning mostly as a collective venture of the poor indigenous peasants of the villages. Madhav Rabha recalls how they organised the peasants and developed their cooperative society.

> "In 1995 we established the Rubber Growers' Association. I am one of the founding members of the society. The motive is to both strengthen the rights and interests of the rubber growers, and also bring more and more people into rubber cultivation. The association has incessantly worked for the growers. As the We started the "Goalpara Jila Janajati Bohumukhi Society" in 2006 for encouraging collective farming. We have taken 15 hectares of land in list. About 130 people are involved in this enterprise. The Rubber Board has been providing us large number of rubber stems."

It is quite apparent that the rubber plantation in Goalpara district has been playing a vital role in changing the economy of the Rabha economy as a whole. Madhav Rabha was very eloquent in his admission of this change.

> Rubber has the changed the economy our entire community. Rubber cultivation combined with community farming popular among our people has changed the financial condition of our families in ways we could never have been able to think about. I myself at some point in time faced financial condition where we could not afford two meals a day. Once tapping started for my rubber trees, I for the first time in my life could think beyond bringing food home to my family. In 1999 we bought a second hand scooter. In 2002 we got a pick-up truck. Following this we bought a car in 2005 (Maruti 800) and another pick-up truck in 2009. In 2013 we bought an Innova for commercial hiring. We have four daughters and we are proud parents to be able to provide good higher education to them all. And all this I owe, without any shred of doubt, to rubber cultivation.

Another stalwart, Satish Chandra Rabha of Bamundanga, is an uncompromising enthusiast of rubber plantation and its importance in Rabha socio-economy. The deplorable condition of the rural economy of the peasants of Goalpara, as was unfolded and understood during my field survey drew many a ex-servicepersons to investing and devoting their money and time in agriculture. It is really

very interesting and encouraging too, to note that these ex-servicepersons, in stead of alienating themselves from their rural roots and getting established elsewhere, returned to their community life and engaged themselves in agriculture. Satish Rabha is one of them. Unquestionably a man of indomitable courage, foresight and adventurism, Satish described his eventful post-retirement life with an enviable enthusiasm:

> "I became a full fledged farmer after I left my job. In earnestness and also some desperation, I began experimenting with different techniques and types of paddy cultivation. Though this bring marginal changes in productivity, there wasn't any considerable change in our financial condition. In 1996 I started experimenting with rubber plantation. I planted rubber stems with my wife along the Nolonga Hill in Dwarka and Bordamal villages. It was at this time that I came into association of Madhab Rabha and Prashanta Barua (Field officer, Rubber Board). Rubber growing brought me new friends and comrades. In the initial years I planted over 25000 stems in over 50 hectares of land. Sadly I lost more than half the crops in a wild forest fire."

Like Madhav Rabha, Satish too is very optimistic about the co-operative societies of the rubber growers providing employment and means of livelihood to large number of rural families.

> "Rubber growing has largely been a community initiative in Goalpara. In Dwarka itself, the community farms involve about 33 families and generate over Rupees Thirty Lakhs annual income. In this community venture there are 22 families from Bamundanga, 6 from Borjoora, 2 from Chotadamal, and 3 from Bairong. These farms appoint a large number local unemployed youth. Rubber has changed the way the tribal people with meagre livelihood means like myself have known life. In my own village now all 185 families are involved in rubber growing. I can go as far as to say that one hundred percent people in our village are rubber growers. We together generate over Rupees 1.5 crore annually. This is kind of money we never knew before. Today we can have good houses, good education for our children, a decent lifestyle, and most of all an independent livelihood."

But, despite all is optimism, Satish Rabha, like many others, accounts the obstacles being faced in growing and maintaining the rubber cultivation. Earlier rubber growing was considered a social taboo and therefore neglected. It is only after the economic viability and profitability of the plantation could be displayed by the pioneers the society in general accepted the new cultivation. Satish recounts:

> Growing rubber has come through a rough road. The Rubber Board has been a constant support. I still remember Zonal officer Vishwanathan from Kerala in 1997 and how keenly he encouraged rubber cultivation in the area. But troubles have been coming overwhelmingly. Rubber growing itself had been initially seen as some sort of social stigma. We the people of rubber growers association are being laughed at by most of the people. It is only now when revenue has begun to be generate from our farms that it has begun to be taken seriously by the people. Our Council does not support our ventures. The Council is supposed to take care of its people. But all it has done for us is to create more troubles. There is also, additionally, massive hostility from the side of the state government. I hope some day the government would hear us for the good.

Now, the rubber plantation that has grown apace and at a very large scale, is being supported by an expanding market facilitating sale of the rubber produce and fetching crores of rupees every year for the cultivators. Several companies are now engaged in Agia area alone in purchasing the rubber sheets produces by the local growers both collectively and individually. Rubber Board itself is one of the major purchasers. While tyre companies CEAT are also quite ahead in competition. But the most noticeable development in the arena of rubber marketing is the rise and development of AJAGAR, a local NGO cum company. It was established in 1998 by a few local young men motivated by the earnest desire to provide employment to the local youths and to encourage the community of growers who were initially in dire need of purchasers for their produce. Ashok Nath, of Agia, is the founder President of AJAGAR Social Circle which is being run by a board of eight members. Ashok Nath gives a clear picture of the entire market scenario connected with rubber. He is also in full agreement with the others I interviewed as regard the big economic support rubber plantation is offering to the peasants, particularly those of the Rabha community. His own narrative is quite telling.

> "In 1998 me and nine friends of mine we established a non-profit non-governmental organisation and we named it AJAGAR Social Circle. Two of the founding members however soon left the organization. I worked as the founder President of the organisation. The motive behind the organisation was to engage the growing unemployed youth of the and help them with different new ventures in agriculture, paddy, horticulture, vegetable growing and so on. We gradually got close to the Agriculture Department of the Government and began undertaking various projects. Our first major project was completed around 2001-02 called NWDPRA (National Watershed Development Programme). We performed the best in the state in the project and we had a national telecast on our performance.
>
> By 2005 rubber production had become a major agricultural output in Goalpara. Rubber growers had finally started to produce good quality latex sheets after much training and labour. Another problem however was already there for them to face. The problem was absence of a good market for them to sell their products. The Rubber Board had provided a good buyer firm called Manimalayar Rubber. It was a Kerela based buying firm with shred ownership of the Board and the peasants. The products could be sold one a week on Tuesdays in the Weekly Bazar. The sellers (rubber growers) did not get paid immediately leaving them in a constant lack of capital. Given the circumstances, we decided to establish a firm to buy the latex in good price. The AJAGAR Associates therefore came into being in 2005. It was a market with very low competition that we had entered. And given our good services, prices and good relations with the farmers, we received an overwhelmingly good response from the rubber growers. In 2006 we became a licensed buyer in the latex market. Our initial customer was largely Poddar Tyres since tyre industry is still the largest rubber consumer. Today the market is full of many competitors like Pabitra Das, Raju Rubber, Sushma Rubber, Royal Rubber (Kerala), ABN Impacts (Mumbai), Kuber India (Ludhiana) and so on. From the very beginning AJAGAR Associates has been providing training and services in tapping and developing sheets. We have also associated with other programmes like NEDFEE and PMKVY for these projects. We also provide regular financial support to farmers on non-commercial basis.

> Rubber has changed entire economy of the people of the district especially the Rabhas. I have myself seen many people, few friends included, whose personal financial conditions have totally overturned with rubber growing. My own business has seen good days after we entered the rubber market. Today rubber is my primary business. We established the AJAGAR Agro Producer Co. in 2010 and now working on plans for making the farmers share holders in the company."

Risks of Rubber as a Cash Crop and their Mitigation

The rubber plantation has played an important role in other indigenous economies as well. And having been in the local economy for a longer time, these instances also help understand the challenges that come along with the advantages of a crop that has direct links with the global market. In Kerala, known as the rubber capital of India, over 20 percent of the cultivable land is under rubber plantation. 1996 and the following years saw a sudden fall in the rubber prices that adversely affected the rubber growers.[4] This shows the vulnerability of rubber growing due to the global market prices. These challenges demand greater role of the government in terms of subsidies, tax rebates and other benefits. Since rubber plantation is largely an initiative of small growers, the role of the co-operatives is also very important here. In Tripura, the second largest rubber growing state, the active role of the state and the Rubber Board has shown to neutralise the threats of the market to a considerable degree.[5] Rubber plantations here have generated large scale employment for the local indigenous people.[6] It also has helped in rehabilitation of the peasants displaced from shifting cultivation, and has resulted in substantial afforestation. These instances indicate the inherent threats of the rubber economy. Dealing with them will require plans that would be specific to each context.

The Rabhas and Politics

Alongside the socio-economic struggles of the community also proceeds their fight for constitutional justice and protection. Below is an account of their role in the anti-British struggle and their contemporary struggle for autonomy through the Rabha Hasong Autonomous Council.

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[4]https://www.google.com/url?sa=t&source=web&rct=j&url=http://shodhganga.inflibnet.ac.in/jspui/bitstream/10603/6550/13/13_chapter%25205.pdf&ved=2ahUKEwi7n9T5_YfjAhUIT30KHXxUB4cQFjAbegQIBxAB&usg=AOvVaw0crMvxj6Y6Do8uetBEvsrh

[5]http://shodhganga.inflibnet.ac.in/jspui/bitstream/10603/210785/12/12_chapter%207.pdf

[6]https://www.google.com/url?sa=t&source=web&rct=j&url=http://dolr.gov.in/sites/default/files/Best%2520Practice%2520-%2520Tripura%2520.pdf&ved=2ahUKEwi7xfv9_ofjAhUOXn0KHepJBosQFjAQegQIARAB&usg=AOvVaw1i-BXJhKLjFdPZeoYd_fdy

Rabhas in the Freedom Struggle

The post-colonial India's understanding of indigeneity as backwardness due to distance or dissociation from the mainland societies (this has been discussed in the first chapter), led the series of independent India's new governments to attempt at growing assimilation of these societies. Such policies rise from an inherent 'otherness' seen in such differences. The differences of the indigenous communities came out of uninformed socio-political ideas to some extent and largely from their near-total exclusion from the dominant historical narratives. The history of freedom struggle, for instance, rarely get any mention of these communities' participation. The sacrifices of these communities go unacknowledged and their martyrs still have not received any recognition or acknowledgement, let alone any official government pension.

Khagen Barchung recollects the community's role in the freedom struggle and talks of the unfortunate disregard and ambivalence of independent India's governments towards the indigenous communities and their narratives:

> "When the freedom movement against the British began to grow, our people jumped into it without hesitation. There was no call for movement that was let go unheeded. Patharughat (Dorrong) and Phulguri (Nagaon) mutinies of late nineteenth centuries are glorious instances of people's fight against oppressive colonial administration. However, given the wide tracts of forests in our areas hardly any freedom fighter got arrested by the colonial administration. It was easy for the mutineers to hide in the dense woods. But this advantage has resulted in an appalling and sad aftermath. Independent India and its democratic government set off to acknowledge the people responsible for thesis freedom with pride. Freedom fighters began to be identified and paid regards in terms of government pension and other benefits. More than the material aspects such acknowledgement carries with it immense pride. Unfortunately our freedom fighters never could have a share in that experience of pride and glory, nor the material benefits. When the prison records were hunted for finding and identifying freedom fighters across the country the only prison that was set up for our entire area could not provide any record with names of political prisoners arrested for taking part in the freedom fighters. Who would tell them that our brave freedom fighters never got arrested! And where was the evidence of their having taken part in any movement. And hence a long list of our freedom fighters still continue to be bereft of any government benefit and unacknowledged even in their deaths. Suren Halo, Kalai Rabha (Bordamol), Kesto Rabha (Bamundanga), Jhoruram Rabha (Choibari), Deenonath Rabha (Choibari), Ramjoi Khotri (Choibari), Mathura Mohan Rabha (Bamundoba), Jogendra Narayan Nath (Aagiya) are but few such names. I fear gradually they shall also cease to live in our memories".

> A century and decade old Lupta Rabha remembers well his own participation in the freedom movement and going on to the streets at every call of "Gandhiji". "As most of the young people did at that point of time, I also joined every call for the movements for freedom. I still remember the processions that we had held in our villages and loud passionate sloganeering coming out of them. We shouted slogans like "*Long Live Rabhas*", "*Rabhas Live Well*", "*Gandhi ki Jai*", "Desh ki Jai" and so on", he says.

Rabha-Hasong Autonomous Council

The Rabha Hasong Autonomous Council (RHAC) is a culmination of many years of struggles and sacrifices of the Rabhas. As the insecurities of the indigenous communities continued to grow in the face of growing demographic change and land alienation, many of them began to organise their own struggles for constitutional protection. According to Kushadhwaj Rankha (2014) the foundation for the Rabha movement was laid in July 1992. With Sharat Chandra Rabha, Dhaneswar Rabha and Sabyasachi Rabha at the forefront, The Rabha Hasong Demand Committee (RHDC) was formed. On May 5, 1993, a memorandum was submitted to the then Chief Minister Histeswar Saikia demanding the formation of a RHAC. RHDC and All Rabha Students Union (ARSU) jointly launched a democratic and non-violent movement from August 1993. In the same month the All Rabha Women Parishad (ARWP) was formed. Since then ARWP has been an inalienable part in the leadership of all the movements and struggles of the Rabhas.

The initial phase of the Rabha movement for autonomy led to the signing of a Memorandum of Settlement between the Rabhas (RHDC and ARSU) and the Government of Assam on March 10, 1995. The immediate effect was the formation of RHAC. However, it was felt by many that the Accord did not fulfil any substantial demands of the movement. Rankha (2014) claims that even without the inclusion of any one of the 862 revenue villages that were demanded to be part of Council, the leaders got into a compromise with government. The Accord therefore left many within the movement dissatisfied. Sharat Rabha called it a 'child autonomous council' and this criticism cost him much regard and his own position in the government. The Interim Rabha Hasong Autonomous Council was created in July, and the then leaders were accused for having agreed to it and excluding democratically elected members. With Sabyasachi Rabha as the Chief Executive Member (CEM), the council took its oath in Dudhnoi. This has been understood by many as a strategic political one to divide and rule by the then Congress government (Rankha 2014).

Two factions emerged within the Rabha movement. One was the old RHDC. It was later regrouped as the Rabha Hasong Surakshya Parishad (RHSP). On the other hand, a chunk of new leadership formed the Rabha Peoples Conference (RPC). Both the parties contested the subsequent Assembly elections in 1996 separately. RPC contested the election in alliance with the Congress. RHSP came in alliance with the coalition of Assam Gana Parishad (AGP), Communist Party of India (Marxist), Communist Party of India, and UPP. AGP led coalition won the elections and a new government

under Prafulla Kumar Mahanta was formed. A new Council was subsequently constituted in July 1997. The membership of the Council, however, turned out to be objectionable due to the undemocratic process of selection, and ARSU launched a renewed movement by forming the Rabha Hasong Struggling Forum (RHSF). The government also brought considerable amendments to the principal Act of RHAC. When the Congress came back to power in 2001, a third council was constituted. The new government also declared municipality elections in the same year to be conducted in the Council area which was in contradiction to the Rabha Accord. All Rabha Sahitya Sabha, ARSU, ARWP, RHSP - all came out in mass protest against this. No substantial outcomes, however, came out of this.

The growing factionalism, internal disturbances and non-fulfilment of the demands of the Rabha movement led tot he further intensification of the autonomy struggle. In September 2002, ARSU and ARWP launched a movement for full autonomy. This soon took a violent turn and led to the arrests of many of its leaders. In June 2003, the developments led to the formation of the Sixth Schedule Demand Committee (SSDC). The demands rose out of the need, felt by the community, for stronger constitutional safeguards. The 2004 General Elections were contested by these parties together: Dr. Rajat Rabha and Listi Ram Rabha were the candidates. But the Police wrongly arrested the campaigning agent Kushadhwaj Patgiri Rankha. They then gave a call for unconditional release of Patgiri and sat for a 72 hours strike with a call for Bandh throughout the Rabha Hasong area. Three activists were brutally murdered. Anukul Rabha, Pawan Rabha and Rabindra Rabha became the first martyrs of the autonomy movement. Curfew was imposed in the entire area. Patgiri was later released on bail. The movement, however, forced the state government to consider the demands for sixth Schedule for the first time. Many amendments were also made to the RHAC Act. The 2006 Assembly elections were contested by ARSU, ARWP and SSDC with AGP. They lost and the government was formed by the Congress. Nonetheless, Rankha (2014) writes, the growing power and popularity of the ARSU, ARWP and SSDC prevented the government from conducting the municipality elections in the Rabha Hasong area. In the meantime, clashes began to take place between the rabhas and the neighbouring Garos. The constant opposition to Congress Government's attempts at conducting municipal elections in the Hasong areas is considered to be one primary reason behind the Garo insurgent activities (Rankha 2014). Many people were brutally killed. Many attempts at negotiations followed after this.

The darkest moments in the Rabha autonomy movement probably came in the December of 2012. A larger forum was created for a democratic movement in 2012 and it was named Rabha Hasong Joint

Movement Committee (RHJMC). The primary agendas were: RHAC elections and the demand for Sixth Schedule status. In December 2012, despite all opposition and protests, the state government declared panchayat elections in the Hasong area. RHJMC immediately protested. Disregarding Rabha Accord and the popular pleas, the elections were proceeded to be conducted. Thousands of people came out to the streets on protest on 12th and 13th December. The Tarun Gogoi government ordered the police to open fire on the protesting people (Rangkha 2014). Twenty people lost their lives that day. The government was dubbed as more ruthless than the British colonial administration. That day continues be the saddest moment in the Rabha struggle. It continues to be lived and relived as he darkest day in popular memory.

It took decades of struggle and loss of many innocent lives , for the RHAC elections to be finally conducted, for the first time, on November 13, 16 and 25, 2013. Tankeswar Rabha became the first elected CEM.

An inclusive state and its inclusive narratives must be built on the differences of the people's identities and a sincere appreciation of it. Any attempt to imagine an egalitarian non-oppressive world also must lie on the same bedrock.

The next chapter deals with questions of land and labour among the Tiwas of central Assam.

CHAPTER 5

LAND AND LABOUR AMONG THE TIWAS OF ASSAM

This chapter is a study of the socio-economic practices of the Tiwas and their history. It has been divided into three main sections.

The first deals with a historiographical and historical account of the community.

The second deals with the central tenets of the Tiwa customary laws and practices in regard to land and labour. It also deals with the political struggles of the community in a context of changing demographic patterns.

The final section deals with two narratives from my field visits followed by a critical reading of these narratives. They reflect the changing milieu of Tiwa customary practices and as such give important insights into the matter.

Introduction

Heavy monsoon rains, so characteristic of Assamese spring, greeted me on my way to Nagaon. The newly constructed six-lane highway connects Nagaon and Guwahati. Lined by Karbi and Kandali Hills on both sides most of its way, the whole route presents a breathtaking view. The rains make it mystic and enigmatic. The undivided Nagaon district (comprising the present Nagaon and Morigaon districts) has been the home to the majority of the Tiwa population, though the modern state boundaries do not precisely reflect the actual locale of the indigenous communities. Today the Tiwas are distributed over a large area in Nagaon, Morigaon and Karbi Anglong districts. I spent over two summers amongst the Tiwas of Nagaon and Morigaon districts. Stationed at my friend's place in the main town of Nagaon, and partially at Morigaon town, I had the opportunity to have access over considerable areas, for prolonged periods of time. I also had the opportunity of meeting many journalists, Tiwa academicians and activists, members of the Council, local social activists, and travelling with them through the remotest parts of Tiwa villages, which, however, do not number very high today.

Nagaon can be said to be located at the heart of Assam. Owing to its central location, it has been strategically important to most of the traditional kingdoms of the region. For that matter, the undivided Nagaon district has been the aboriginal home to the Tiwas or the Lalungs. It later became a part of the Ahom kingdom. In the social history of Assam, Nagaon also became popular for being the birth place Srimanta Shankardev, the torch-bearer of the fifteenth century neo-vaishnavite movement in Assam. When the Burmese invaded, it came under their absolute control and experienced cruel atrocities at their hands. With the British occupation of Burma and the subsequent conclusion of the Yandaboo Treaty between the British and the Burmese, administration of Nagaon was overtaken by the British colonial government. In 1832 it was given a separate administrative status and was made a distinct district. Earlier popular as Khagorijan, the district headquarters on the bank of the Oolong river came to be called Nagaon which literally meant 'new village'. Nagaon then had three main sub-divisions: Nagaon, Morigaon and Hojai. In 1989 Morigaon was separated from Nagaon and was constituted into an independent district. Of late, Hojai also has been carved out as a separate district in 2015. It has 11 Assembly constituencies and 2 Parliamentary constituencies. For administrative purposes, Nagaon has been divided into 10 revenue Circles and 18 Developmental Blocks. The official records of the Government of Assam state the Tiwas as the major tribal community of the area, the others being Kacharis, Bodos and Karbis.

Unlike my field work with the Rabhas, I had little direct connection with the Tiwa community, and, as such, I had to take the assistance of some other native non-Tiwa people to begin my study. As I have already mentioned, I had conducted my study from the district town of Nagaon. From here I came into contact with some old and some new friends around the area who guided me in travelling around and into the Tiwa villages. The members of the Tiwa Autonomous Council,too,were very helpful and provided me with all the necessary documents and informations. They also helped me locate the various Tiwa villages scattered all over the region. The people of the community I met during my stay at Nagaon unstintingly cooperated with my interviews and provided me with important oral accounts, two of which I have included in this chapter for a critical assessment. This chapter is the outcome of both primary and secondary resources available

All the interviews and interactions were conducted in Assamese language. The available secondary literatures were also mostly written in Assamese. The Tiwas, like most other indigenous tribes of Assam, use Assamese as their primary language in their day-to-day lives as well as in their official communications. Since the past decade, however, attempts have emerged to develop the Tiwa language. The new journals/books, therefore, are largely bilingual in nature with occasional

inclusion of English. Even so, till today, they consider themselves an integral part of the larger linguistic Assamese nationality. They believe that the development of the Tiwa language and literature will not hamper the growth of the composite identity of the Assamese; rather, on the contrary, will further enrich it.

A Brief Historical Account of the Tiwas

Tiwas are one of the indigenous tribes of Assam inhabiting the land for over thousand years. Though this community is now popularly referred to as Tiwa, historically they have been known as "*Lalung*" s. Khasi and Jaintias refer to them as "Langlu" where the word Lang means water and Lu denotes children of water (Pator 2015: 33). Lalung for the Ahoms meant 'large group of people moving westward' (since they were moving towards lower banks of Brahmaputra). Tiwas mostly have been preserving their history through memory and oral story-telling. We therefore find various accounts of their origin in the accounts of other indigenous communities that they have lived with. The Ahoms for instance have been recording and writing histories for centuries now. The other way to know the Tiwas is to actually dive into the rich narratives of the past that these have been carrying and passing on for many generations (and which they have begun writing down only very recently). Tiwas are believed to have been once a part of the larger Jaintia community. Here lies yet another genesis of the name Tiwa. The name Tiwa is supposed to have come from the last part of the word Jaintia. Today, the branches of the community are spread here and there over large areas of Morigaon and Nagaon districts, and also in Karbi Anglong and Kamrup districts of Assam and the Khasi and Jaintia hills areas in Meghalaya.

Tiwas or the Lalungs are one of the oldest and aboriginal communities of Assam. British officer Andrew Cole wrote in 1945 about the earliest inhabitants of the region and mentioned the Lalungs as one the aboriginal inhabitants of the area. "These (the older plain tribes) comprise a number of peoples who claim, if anyone can, to be the original peoples of Assam. They are found in the lower districts of Assam Valley and there principally, though by no means entirely, in the less developed submontane areas. The most important groups are the Kacharis (429,000) who are predominant in the belt which borders on Bhutan, the allied Rabhas (84,000) and the Lalungs (50,000)" (Cole 1945: 5). Cole is critical of the anthropological and historical accounts of Assam (including Hutton's) that discuss the hill tribes in detail but ignore the plain tribes of the region. For him, the plain tribes of Assam, like the Rabhas and the Tiwas, are integral to any understanding of the region.

Most of the ancient accounts of the community are based on collective memory and oral history. As I travelled through the Tiwa villages, talking to people of different ages and professions, their accounts were rich with stories about their glorious past that they grew up hearing. From generation to generation these accounts have been passed on; their experiences, struggles, victories all have survived in the memories of the people. As we have seen in the case of the Rabhas, oral narratives and popular memory play a big role in knowing and understanding the indigenous communities of the region. Amalendu Guha (1991) underscores the importance of oral histories in the historiography of the region. “The historian of the region has to be largely unconventional in his *(sic)* methodology as well. Here, more than anywhere else, the methods of oral history have a significant role to play, if we are to extend out present knowledge further backwards into past history" (Guha 1991: 39).

Oral histories are complex and incorporating them in building historical narratives of a communities is critical. “Oral history might miscarry unless the historian possesses an acute sense of the logic of historical development and is able to put what is gleaned from folk memory in its proper place on the appropriate timescale of related known events” (ibid: 39). Here is an attempt, therefore, to build a historical account of the Tiwas based on the many narratives that I came across and recorded in my own field study vis-a-vis the available secondary sources.

A plethora of historical and anthropological accounts on the indigenous communities came from the British colonisers. Though very detailed and well researched, these accounts suffer, however, from limitations:

> They did this spade of work with their nineteenth century imperialist outlook that had assumed an unchanging character for the oriental societies in general, and the (hills) tribal societies in particular, with a view to projecting the British rule as a legitimate agency of progress. Each tribe used to be described in isolation from other tribes and from the world of the plains people. The resultant monographs followed a set standard pattern in which the tribes were depicted as so many fossilised segments of humanity, for whom trade and contacts with settled communities had no mentionable impact (Guha 1991: 40).

Impacts certainly there were, but the impacts were made on both sides. The democratic, egalitarian and independent nature of the indigenous societies had definite and undeniable impact on the evolution of the socio-political fabric of Assam as a whole. The different colonial accounts, however, provide us important insight into these communities.

The other secondary sources are mostly post-colonial narratives from different historians, though not many. Of late, importantly, many accounts have started to come up from within the community

itself. Here I have tried to incorporate as many such accounts as were available. As such, these histories do not conform to any strict periodisation as is popularly followed in history-writing. Guha states that Assam's historiographical literature does not fall into the categorisation of ancient, medieval and modern, and such periodisation ceases to be meaningful in the context of the indigenous communities. "This kind of neat periodisation breaks down the moment the historian enters the parts of the region where literacy came rather too late. We have no knowledge as to how the hill areas were peopled and how they fared in ancient times" (Guha 1991: 38).

I, however, would like to diverge a bit from Guha here. The indigenous communities of Assam, the Tiwas included, have remained relatively independent with self-sufficient socio-economic practices. The colonial administration did not interfere in the socio-economic set ups of the tribals in the hills; and in the plains too, the land and revenue policies of the government could not adequately penetrate the peasantry, both tribal and non-tribal. They, due to their largely democratic, egalitarian and community customary practices, thwarted any major accumulation of land or capital in private hands. As such, they emerged as so many different economic existences. Therefore, they do not conform to the popular models of history-writing. Instead of looking at them as 'backward', they should be treated, indeed, as an avant-garde in our understanding of economic spaces.

In *Ring-Chhang* (a collection of articles on the Tiwas, 1972), Dharma Ram Bordoloi gives us a detailed historical account of the Tiwas. He writes that the Tiwas and the 'Tifras' (Tripuris) are believed to have had a common origin. The name Tiwa/Tibra is supposed to have emerged from the Tifras. The word *Ti* means water and *fa/fra* implies a parent or a father. The word Tiwa which denotes children of water also largely means the same. The Tiwas and the Tifras are known to have originally inhabited in the Tibetan region of the Himalayas. They moved south-westward from there and settled at present Allahabad. Later they moved Eastward when the Aryan pressure began to grow. In the popular memory of the community, Lakhmi Singha Deka (Ring-Chhang 1972) notes, the Tiwas are direct descendants of Shiva and Parvati (Bhagwati). One *deva* known as *Lungla Mahadev* is said to have born out of Shiva. He had three daughters: *Lai*, *Hilali* and *Lali*. Three ancient communities had their genesis from these three sisters. From *Lai* grew the Mikirs, from *Hilali* the Bodos and the Kacharis, and form *Lali* the Lalungs or the Tiwas.

The Tifras, as understood from the various narratives, established their first kingdom in the east in the region around the valley of Kopili. King *Pratarddan* is known to have established his kingdom in 1900 BC. The name of the kingdom was *Tribeg*. The name Tribeg denotes being situated at the

juncture where three streams or rivers meet. Today this area is supposed to be around Kochua Gaon situated in the south-west of Chapormukh. The three streams around this region are Borapani, Jamuna, and Kopili. The Tifras are believed to have lived and ruled here for about sixteen generations. The twelfth king of this family, Chidrarath, is also known to have been an invited guest in Yudhisthira's court. The kingdom flourished and prospered for a long time. However, the fifteenth king *Tripur* turned out to be an incapable ruler. His bad administration led to chaos, restlessness and stagnation within the community. The people went through terrible sufferings. After sometime the king was assassinated (by people not known of) and he was succeeded by his son Trilochan. Trilochan, unlike his father, was an able and wise ruler. He brought back the lost peace and stability of the kingdom. He married neighbouring Kachari King's daughter. This strengthened the relations between the two communities and formed a strong alliance. He and the Kachari princess had two sons named Drikputi and Dakshin. The Kachari king, on the other side, did not have a male heir to this throne. So, Drikpati inherited the Kachari kingdom and began ruling as its king. Given the situation, Dakshin ascended as the king of the Tifras on the death of Trilochan. However, Drikpati, being the elder one, wanted to inherit his father's kingdom as well. This led to a battle between the two brothers. Dakshin surrendered and decided to move southward. He established a new kingdom at the Barak valley with its capital named Kholongma. This branch of the Tifras later came to be known as the Tripuris, and the land they ruled and inhabited became known as Tripura. The other group of the Tifras, who had stayed back with Drikpati and continued inhabiting their original lands, came to be known as the Lalungs or the Tiwas. Many Tiwas also remained in the Kachari kingdom. It can be speculated that if the Tifra kingdom was established in 1900BC, the Drikpati-Dakshin battle must have been fought in the 11th century BC. From that time to 1835, when the British took over the administration of these areas, the Tiwas remained more or less independent and indigenous inhabitants of these parts. Even when the Ahoms and the Jaintias subjugated the later Tiwa kings, their internal autonomy was never challenged.

In the oral histories of the Tiwas, the most popular and celebrated ruler is the king of Gobha. There are different legends regarding his birth. Some say that he is a son of Shiva who was born out of a fish. Others recount to have heard about king Gobha and his ancestors being born out of stones (Bordoloi, Ring-Chhang1972). But it must be noted that their Shiva and Parbati were tribal gods and goddesses and the worship no way signifies that the Tiwas had any ancient association with Hinduism. The Gobha family ruled over the area called *Marjjong* (close to present day Roha) under the Jaintia ruler. One of the Gobha kings, king Paanteshwar, is known to have valiantly fought with

Chilarai, the legendary army-chief of Koch king Nara Narayana. Moneshwar Deuri (Ring-Chhang1972) reiterates that the Gobha king was the primary and most powerful Tiwa ruler, and it is from Gobha that king Arimatta had established his unchallenged rule. Twelve courtiers of Arimatta, each able administrator, later founded twelve groups of Lalungs. In Gobha king's supervision, seven smaller kingdoms (more like principalities) emerged. These are: Kumoi, Torani, Baghara, Teteliya, Kacharigonya, Sukhnagogiya, and Ghogua. Arimatta's sons Gojanka and Mriganka took forward the Gobha rule. Gojanka took the name Ratna Singha and established his kingdom further north-westward in the Dimoriya region (present day Kamrup area). Mriganka, popularly known as Jongal Bolohu, continued to rule among the Tiwas (in Nagaon) and successfully carried forward the legacy of his dynasty. Jongal Bolohu is also known in popular narratives to have unknowingly killed his father. Five smaller Tiwa principalities were located aroundd Jongal Bolohu's kingdom, namely Topakusia, Baropujia, Mikir Gonya, Sora, and Khaigoriya. In the early nineteenth century, a later Gobha king named Chhatrasingha is known to have captured four British people and beheaded three of them. The one who got away escaped to the British administrators there and reported the incidence. It is at this juncture that a detachment of Assam light Infantry was sent to the area and British formally took over the administration of the region in 1835.

The other popular Tiwa kings and their families who have lived through the memories of many generations are *Neli*, *Khola*, *Bongaldhora*, and *Chohori*. Dharmaram Bordoloi (Ring-Chhang 1973) identifies twelve other Tiwa kingdoms: *Neli*, *Khola*, *Topakuchi*, *Roha*, *Baropujia*, *Rani*, *Lubi*, *Beltola*, and *Dimorua*. The *Neli* kings ruled under the supremacy of the Gobha king and had their capital at Neelpur. The most known king of this dynasty is Neeleshwar. He later divided his kingdom into two parts: the Northern part was ruled by his son Nandan, and the Southern part by his son-in-law Yuddhajit. Most of these kings owed their allegiance to the Jainitia ruler. Sarbananda Rajkumar (Ringchhang, 1972) also writes that matrilineally might have been one reason that the Tiwas broke away from the Jaintias, though, highly unlikely so. In the seventeenth century, a Jaintia prince Pramatta Rai is known to have rebelled against his grand-father and the then ruler of the Jaintias, Yashmant Rai. His appeal for help in his rebellion was refused by the Gobha king. Angered at this, Pramatta Rai set into fire four Tiwa villages. To retaliate, Gobha king sought the help of the neighbouring Kachari king. Ahoms by this time had become the undisputed rulers of most of the regions of Assam. Ahom king agreed to accept Gobha king's plea. Gait also mentions about this. "In 1658 Jassamattta's grandson Pramatta Ray rebelled against him but was unsuccessful" (Gait 1926: 263). Ahom Buranji (Ahom History), as was officially maintained, and which was later translated to

English by Golap Chandra Barua in 1930, describes these events related to the Gobha king in good detail. Since not much written account is available for these developemts, the Ahom official history serves as the most authentic source to know about them. An excerpt from it, therefore, has been given below:

> "Next year (1658), the Jayta (Jaintia) Raja Jasamanik (Jaswant Rai) and his grandson, Pramatha (Pramatta Rai), quarrelled. Pramatharai tried to take the country of Jassamanik and despatched a messenger to Gubha (Gobha) Raja asking him to come over to him with his army. Gubha Raja said to the messenger, "Pramatharai should come to us leaving Jayta and we shall help him. Let his Ranis be sent here". Paramatharai, the grandson of Jayta Raja, devastated four villages of Gubha Raja. Guha Raja sent the news to Kachari Raja. Then the Kachari Raja desired to send seven thousand men. These were men stationed by our king. All the men said that they would not leave the Kachari country, unless some Katakis were sent to the great king, the king of *Mungdunshunkham* (Assam). Our men, Phunyeu, Phukeu and Phuplao came and informed the two Kaliabor Baruas of the matter.
>
> In *Lakni Karao* (1660), in the month of *Dinship* (Bhadra), the king's father-in-law and *Cheng Pikshai* sent our men with seven hundred followers. The Kacharis did not follow. They returned. In the month of *Dinshipshang* (Kati) and on the day, Kakeu, Gubha Raja came to Chaopha Shutamla and bowed down kneeling before him. The heavenly king welcomed Gubha. Gubha Raja said to our king, "Your Majesty placed my ancestors in the country I reign, fixing boundary. Now Raja Jassamanik and his grandson, Pramatharai, are quarrelling for their country. I, your slave, pray your Majesty, humbly to be graciously pleased to help me and to place me to my father's dominion. I pledge you my homage by touching your feet". The heavenly king offered Gubha Raja an elephant, a pair of stools, a pair of gold bracelets, men, coats, clothes and some jin clothes. Katsheu, the king gave him necessary instructions and sent him down. Then the king sent some more messengers to inform the king's father-in-law, the Neog's son, and *Ching Pikshai* to establish Gubha Raja at Khagarijan fixing boundaries of the territory. Guha Raja was accordingly, established at Khagarijan" (Barua 1985:156-157).

Since then, Tiwa kingdoms remained and ruled under the supremacy of the Ahom rulers. Buddheshwar Gohain (Ringchhang, 1972) writes that in 1527 Swargadeu Suhungmung (1497-1539) fought a battle with the Nawab of Bengal's army and won it. This battle was fought near the Kolong river. They attacked and another battle was fought and won by the Ahoms in 1532 around the same area. Many new areas like Kamrup, Kamata, Dorrong came directly under the Ahom rule after this. The Tiwas also came under the indirect rule of the Ahoms. The Nagaon area during this time was ruled and inhabited by three communities of Kachari, Jaintia and Baro-Bhuyan. They often fought with one another. It was only during Swargadeu Chuchenfa or Pratap Sinha's rule (1603-1641) that Ahoms established a direct supremacy and control over these areas including the Tiwa rulers who had been largely ruling under the Jaintia rulers at this time. Four *Chowkis* (pronounced as 'choki') were established here by the Ahoms: *Changchowki*, *Rohachowki*, *Jaagichowki*, and *Kajolichowki*. They functioned as administrative centres meant to facilitate good governance as well as trade and commerce. Dharmaram Bordoloi (Ring-Chhang 1973) writes that

the Tiwa kings largely rules autonomously under the supremacy of the Ahom rulers. The tribute paid to the Ahom *Swargadeu* or kings were only very minor like hunted birds, fishes etc. This system of paying tribute was also very informal in nature and mostly existed in a manner of mutual cordiality. Ahom kings provided the Tiwa kingdoms their safety and security against the neighbouring kingdoms like the Jaintias and the Kacharis. The Tiwas, thus, continued to rule independently as long as the Ahom supremacy lasted.

When the Burmese invaded Assam, their reckless destructive spree of plunders and killings shocked the people of Assam. Nagaon and the Tiwa territories were no exception. The Burmese mercilessly looted and killed the people in the area. Gait summarises this:

> "Colonel Richards, the British commander had established his headquarters at Kaliabor but, when the rains set in the difficulty of procuring supplies compelled him to return to Guwahati. The Burmese thereupon reoccupied not only Kaliabor, but also Raha and Nowgong, and, in revenge for the friendly disposition which the Assamese had shown towards the British troops, they pillaged all the surrounding country and committed appalling atrocities on the helpless inhabitants. Some they flayed alive, others they burnt in oil, and others again they drove in crowds into the village Namghars, or prayer houses, which they then set on fire" (Gait 1926: 283).

The 1826 Treat of Yandaboo ended Burmese occupation of Assam and established British authority in the area. The devastation of the Burmese occupation had already disintegrated the local administration and demoralised the native people. Establishing British supremacy in Assam Proper was swift and quick, however not without resistance and fights for independence.

The Phulaguri Revolt

The independent indigenous people of the area did not go into being dominated by a foreign power without an effort to fight and get back their autonomy. In fact the Tiwas organised and led one of the first fights against the British rule. The Tiwas were active participants, in fact flag-bearers of the earliest anti-colonial movement in Assam. After the defeat of the Burmese and the conclusion of the Yandaboo treaty, the British gradually strengthened their hold over Assam's polity and economy. This increasing stronghold meant the declining autonomy and influence of the tribal kingdoms/ communities and the growing taxation in an economy where almost none had existed before. Declining Ahom supremacy in Assam had already caused disturbances in the internal political balance. Now, the British economic policies began to unsettle the socio-economic practices of the native communities including the Tiwas.

Radukakoti (2005) writes that the *Pansu Roja* or the Five Kings and *Xatu Roja* or the Seven Kings of the Tiwas decided to lead a revolt against the British along with the other people of Nagaon early in the second half of the nineteenth century. The Tiwa king from *Topakuchi* organised the first public meeting in his royal court to plan an uprise accordingly. In this meeting, the *Topakuchi* king is known to have said that the British were sought for assistance to drive away the Burmese from Assam, and since the Burmese had left, the British too ought to leave the country. They did not want the British forces to stay any longer and take away the independence, autonomy and economy of the native people. They decided not to allow the British to monopolise the trade (especially opium) and impoverish the people with their reckless taxation (Radukakoti 2005). In the second public meeting organised under the seven Banyans of Topakuchi, a local young man named Lakhyan Singh, whose strength, bravery and capability had become well-known in the area, was made the commander of the army in the revolt. Lakhyan Singh's physical powers had grown to be legendary. In his leadership, hundreds of people came out to fight against the British. He is known to have trained twelve hundred soldiers night and day. Changbor Lalung, Narasingha Lalung, Sakbor Lalung, Roopsingh Lalung, Kolimon Doloi, Merasingh Lalung, Katiya Lalung, Behera Lalung, Lelou Lalung, Bhadou Lalung, and many other native Nagaon people became the forerunners of one of the first struggles against British colonialism. The neighbouring kingdoms also extended their full support.

News reached the revolting army through secret channels about the visit of Lt. Skonch who was in charge of administration of Nagaon on October 18, 1861. With the permission of the king, the army prepared to launch an attack with the support and assistance of the entire community. But it was not Skonch who came that day on visit. The junior Assistant Commissioner Singer was sent to Nagaon in his place with a few officers and security personnel. At the sight of the awaiting revolting army, Commissioner Singer ordered his people to take away the weapons of the army. At Lakhyan Singh's command, the local army immediately attacked the troop. With their lathis, bows and arrows, they took down Singer and three of his men. Many from the revoting army lost their lives at the gunfire of Singer's troop. One segment of Lakhyan's army went ahead to rob the treasury and another to occupy the Raha police station. One of Singer's men escaped the army and went on to inform the British officials about the attack. Two British troops were immediately sent out. Many Tiwas lost their lives in the following confrontations. The traditional weapons of the Tiwa army could not withstand the powerful British guns, and the British troops defeated the brave army of the young Nagaon natives.

What followed was a strict, ruthless military rule over Phulaguri and Raha. The people suffered for what they had done. Since most of the leaders of the revolt, including Lakhyan Singh, could not be captured, the people in these areas were severely harassed by the British troops. Unable to see the people tortured, most of these leaders now came out and each claimed to have had killed Singer and his three men. According to Benudhar Kalita (in Radukakoti 2005), three of the accused were sentenced to death - Lakhyan Singh, Chipsingh Lalung and Rangbar Deka - and seven others were sent to Port Blair for life imprisonment. About sixty people were punished with rigorous imprisonment for ten years.

Medini Choudhary, a leading thinker and a celebrated novelist of Assam, highlighted the significance of this revolt in these words:

> "Tribals in Assam were generally freedom loving people. Their only occupation was agriculture. They were therefore dependent on land. So whenever the British government imposed taxes on land they took it as a challenge to their rights and revolted against the local officers.
>
> In 1861 the British authority in Nagaon district prohibited the cultivation of opium which was mainly practised by the Lalung tribals of Phulaguri. The authority thus wanted to do away with interference, from any quarter, with their monopoly trade in opium. Not only that, the British authority imposed taxes on land and homesteads also. The Lalung tribals revolted against the government. they became violent when a young British officer tried to quell the rebels with force and killed the officer. For this, Lalung tribals of the area were hunted down. Many were killed and others were sentenced to terms in the Cellular jail" (Chaoudhary 2000: 296).

The Phulaguri revolt marks an important chapter in the history of colonialAssam and people's struggle against it. It is very unfortunate that the tale of this heroic revolt has not found any place in the annals of our 'national' history.

Land Administration in Nagaon

The 1851 Land Settlement Enquiry Committee Report identified the boundary of the undivided Nagaon district, which mostly corresponds to the older Tiwa kingdoms, as Brahmaputra to the North, the Jaintias hills and Kachar to its South, Kamrup (Dimarua block) in the West, and Dhanshiri, Doyang and the Angami Naga area in its East. Since most of these tribal lands were not registered, it is difficult to have an exact idea of land ownership, which later proved to be a detriment to the interests of these indigenous tribal peoples themselves. Somewhat scared, and mostly conspicuous of the British administration and its officials, most of the Tiwa rulers did not accede to the British invitation for land registration. Few who wanted had the land officially registered. Others mostly were left out in the process. The British administration, on the other hand,

divided Nagaon into fourteen *mahals*: Nagaon, Kaliabor, Mikirpur, Chaporee, Roha, Jamunamukh, Morong, Dantipar Jaintia, Mikir Pahar, Parbbat-Jowar (North Kachar), Lakheraj, Jalkar Fishery, Rengami Naga Mahal, and Angami Naga.

The turn of the century had brought massive demographic changes to the area, as has already been mentioned. Major influx of outsiders to Nagaon district, mostly poor Muslim peasants from East Bengal, took place in the first half of the twentieth century, thereby posing a direct threat to the socio-political predominance of the indigenous people. The changing political scenario of the period with the emergence of Muslim League in Assam and the economic necessities of the British government further facilitated this process of migration. This considerably changed the demography of the area. The colonial government did not take any measure for the protection of the lands of the indigenous people. The same situation has persisted even after independence.

At the time of the making of the Constitution, the Hill areas (districts) of then undivided Assam were placed under the Sixth Schedule, thereby reserving the exclusive right of the indigenous communities over their land. There were no such protective measure for the indigenous people of the plains. It was in this situation that Gopinath Bordoloi government introduced tribal belts and blocks for the plain tribes, as has been discussed in the previous chapter. Chapter X of the 1886 Assam Land and Revenue Regulation (amended) created twelve Tribal Belts and Blocks in Nagaon. But the successive Assam governments after Bordoloi proved to be very callous to the protection of lands in the tribal belts and blocks, thereby opening them for large scale encroachment by outsiders, both Indian and foreign. The Tiwas of the undivided Nagaon district have also suffered this same fate.

Today the Tiwas are increasingly facing existential threat on their own lands. Ganesh Senapati (Ring Chhang, 1973) mentions that the Linguistic Survey of India published in 1903 by Dr. Greyarson found 40,000 (forty thousand) Lalung language speakers in 1891. By 1961, this number fell as low as 10,576 as shown by the Census of India Report. Senapati notes that the government's negligence in protecting the indigenous peoples' land rights has been the primary obstacle in their survival and sustenance as a community. Assam's progress and development can only be achieved through the protection of the indigenous communities and their land rights.

In the face of the growing demographic crisis, the Tiwas have been demanding autonomous status for the protection of their customary practices and existence as an independent indigenous community as well as their traditional rights over their lands and resources. In a memorandum

submitted to the President of india by the Plains Tribals' Council of Assam in 1967, it was noted that:

> There has been constant attack on the tribal lands. Large number of East Bengal immigrants started to pour into the tribal areas since the beginning of this century and settled therein. Apart from the East Bengal immigrants, local non-tribal traders, businessmen, money lenders also have been onslaughting the lands belonging to the tribals. All these forces were constant menace to simple and peace loving plains tribal people (Dutta 1993: 125).

The memorandum also noted the effect of growing urbanisation : "Urbanisation has been quite a problem to the plains tribals of Assam. In spite of repeated prayers, the Assam Government never cared to take adequate measure to absorb them in the new economic set up and acclimatise them with the new condition or to rehabilitate them" (Dutta 1993: 131). The 1946 amendment to the 1886 Assam Land and revenue Regulation had introduced a tenth chapter for the Tribal Belts and Blocks, and enlisted twelve such areas in the Nagaon district. These were: Borkacharigaon, Bhalukjari, Ghagna, Teteliya, Gobha, Phalguri, Amsoi, Bagariguri, Bardalogaon, Lankabhita, Amgurichang-Phulgurichang, Jamadari and Barangiri Pathar. Dutta (1993) writes that these provisions were not able to protect the plains tribals from land encroachment, as has been noted in the Dhebar Commission Report.

The creation of tribal Belts and Blocks was meant to protect the lands of the indigenous communities of the plains of Assam. The negligence and corruption of the administrative machinery, however, defeated the entire rationale of these provisions. B. P. Singh (1987) notes that land issues had been an unexplored terrain in north east India and no study was made on land alienation till 1970s. Few studies that have been done since reflect the immense loss of tribal lands, both in the hills and the plains. "In the plains of Assam the alienation of tribal lands has been even more marked. Some of the devices employed to deprive the tribals of land were grants by revenue officials of mutation to non-tribals and non-eligible outsiders in tribal lands, in gross violation of the law. Similarly, the registration of sale deeds by registration officials in favour of non-tribals has been done in contravention of the law… The administrative failure to protect the sanctity of tribal belts and blocks could be attributed to callousness on the part of officials and social acquiescence of violations of law" (Singh 1987: 150).

The Economy of the Tiwas

Unlike the Rabhas, the Tiwas are not concentrated in a few areas or live in clustered villages. Therefore, it was altogether a different experience of field work here. Thanks to my father, Hiren Gogoi's, decades long association with the peasant and workers' movements of the region, I had the opportunity of working with some socially active local peasants, academicians and journalists. The family that took the trouble of hosting me for long summers is also one of social activists who could guide me well in knowing the area and the people. So the nature of my visits in these areas were very different from those in the Rabha areas. The widely dispersed nature of Tiwa habitation in the villages was not easy to systematically follow. Having spent most of the previous year among the Rabhas had given me an exposure to a different kind to field study. Nagaon and Morigaon have Tiwa villages that were located at quite large distances from one another. This can be marked in the evolution of the Council Act as well.

Customary Practices of the Tiwas

Land and Labour

The Tiwas, as an aboriginal community of the region, have customary practices, concepts of land ownership and labour management that date back to thousands of years. The community, like the other indigenous communities of the region, is a central theme in their customary laws. Their agricultural practices, land management practices, labour practices- all have an embedded sense of a strong community. Divided into many *khels*, the Tiwas have a largely egalitarian society. Once absolutely matriarchal, they still have a general sensibility about gender equality in their traditional society. However, as almost all of the people that I talked to agreed, there is an increasingly changing trend in their social practices, to move towards a patriarch-centric familial set-up, owing to the growing influence of the Hinduised communities amidst whom they live. They, nonetheless, still pride themselves in keeping their traditional egalitarian practices intact, as far as possible. The Tiwas are primarily categorised into Hill Tiwas and Plain Tiwas. Comparatively more secluded and independent, the Hill Tiwas have been able to keep their traditional customary ways of living more alive than the other. For example, their community farming and matriarchal families are still operative institutions. However, for my study of customary practices in regard to Land and Labour, I have taken into consideration the Plain Tiwas who are more relevant in this regard.

The Tiwas have a very systematic way of organising their society. They are categorised into many divisions, the primary of which is the *kula* or the familial branch. The whole Tiwa society, hence is divided into many *kulas*, which are non-hierarchical in their social standing. Since the Tiwa society and their customary laws mostly revolve around oral tradition based on popular memories and narratives, the exact number and names of these *kulas* are difficult to ascertain. Also, details about few other customary practices at times vary from one account to another. However, such divergences, wherever they have occurred, have been minor and do not hinder us from getting a decent understanding of the Tiwa society. They are divided into twenty one groups or *kulas*. These are non-hierarchical groups identified mostly with their different kinships. These groups are namely *Hukailokar*, *Amchilokar*, *Ladulokar*, *Aafilokar*, *Daamlokar*, *Pulokar*, *Pomalokar*, *Monilokar*, *Machranglokar*, *Macherenglokar*, *Maloilokar*, *Magorlokar*, *Khoroilokar*, *Fangsolokar*, *Aagailokar*, *Chagailokar*, *Mithilokar*, *Mathranglokar*, *Maadlokar*, *Changcholokar*, and *Kachlonglokar* (Lakhmi Sinha Deka in Ring-Chhang 1972). As the influence of the surrounding Hinduised society grew, and especially during the British rule, many in the Tiwa community began taking up mainland Assamese surnames like Bordoloi and Senapati in an attempt to integrate with the rest. However, in the past few years, people from this new generation has again begun taking up their own traditional surnames that they have borne for long. Some such surnames are *Deuroja*, *Dekaroja*, *Loro*, *Forongai*, *Borjala*, *Hatari*, *Deuri*, *Doloi*, *Konwar* etc.

The family is the basic unit of Tiwa society. Though historically largely matrilineal, these families today exist on both matrilineal and patrilineal lines. Shraddhananda Duara (Ring-Chhang, 1972) writes that the Tiwas who still live on the hills mostly continue to have matriarchal families. In these families, the men generally give up their own families and come to live with his wife's family after marriage. Property in such cases is also inherited by the women. Most of the Tiwas living on the plains, on the other hand, have adopted patriarchal family system (mostly as an effect of the larger Assamese society and in an attempt to integrate with them more closely). However, till a decade or so ago, some cases were still found among the plain Tiwas where the daughter inherited the parental property, lived with her husband and children in her own home. Many of my respondents said that upto the last generation, it was a practice for the daughter (usually the youngest) to inherit the familial name and property. Marriage was absolutely based on consent of both the bride and the groom, which still continues to be so. The final choice of the spouse was, however, given to the girl and her finding the suitor acceptable in his talents and capabilities. These

things began to rapidly change after independence. The decade of the 90's, according to most, has been the most transitional time. Earlier, the Tiwas had independently practised their customary laws under the larger Ahom rule. The British administration, too, had not intervened much. Their customary practices began to be more affected only after independence.

The next major institution in Tiwa society is *Khuta*. Many families together make the institution called *Khuta*. Generally, families from the same *kula* live together and form a *Khuta*. However, there are cases where families from two or more kulas come together to make a *Khuta*. It is customary norm not to have marital relations between two people from the same *khuta* or *kula*. Since people of one *khuta* or *kula* are believed to have originated from the same people, such relations are considered to be unacceptable. However, if such a marriage does happen, even if without the permission of the families, the bride and the groom are not punished. One of them, in such a case, is adopted into a different kula and then they are socially wedded with the blessings of the whole community. All the bride and the groom have to do is to seek blessings from the '*xomaj*' (society) or the community with whatever fine the customary laws ascertain. As one old Tiwa man told me, "We, in Tiwa society, consider love and mutually agreed relationships with great regard. We never marry without consent of both the girl and the boy, and if some such relations turn out to be against norms, we find out ways to accommodate them."

Every *khuta* has a *Borghor*. The *Borgho*r is the centre of all the social activities of the *khuta*. It is here that the religious and social functions of the immediate community are held. Each *Borghor* has an elderly person supervising and taking care of the activities of the *Borghor*. He is known as *Ghorburha* or more popularly as *Borjela*. The Borjelas are assisted by one or more persons from the community known as *Xoruburha* or *jela*. Apart from these office bearers, there is another very important post of *Harikuwori. Kuwori* in Assamese means princess. The *Harikuwori* is highly regarded in the society and enjoys a powerful position. She is a member of one of the families of the khuta and if/when she marries, the groom must come and stay with *Harikuwori* and her family. The institution of *Borghor* is very intrinsic to Tiwa social life. Not only does it function as the seat of all social functions and ceremonies, it is also the primary place for socialisation of the young Tiwa girls and boys. It is here that they understand the society and the community. Tiwa children learn their language, traditions, customs, ways of life, skills, manners of conduct - all in the *Borghor*. It is open equally for everyone in the community. And here, together with one another, they, side by side and hand in hand, become equally responsible adult members of the community.

The third important institution of the Tiwa society is the *khel*. Two or more khutas together make a *khel*. All the main social activities of the community can only be held at and completed by the *khel*. The khel also serves as the main centre of administration. Any dispute arising from the society is heard and decided upon in a democratic manner by the *khel*. Moreover, the *khel* functions as a public granary helping the people in need. The khel also works as a bank lending money to the people under its jurisdiction. Highly effective, inclusive and competent, such democratic institutions of most of the indigenous communities of Assam have for long kept exploiting elements like money-lenders away from their societies. This public management of administration is still very much alive among the Tiwas. Disputes rarely reach the legal system or even the local police. The khel's decisions are regarded by everyone in the community as unbiased and just, and are considered as binding for everyone. The judgements are administered on the basis of the customary laws and are generally done by the elders in the community.

Below is a brief discussion on the two major features of the Tiwa socio-economic customary practices that characterise it as a distinct and heterogenous economic community.

Hadari System

A system of community labour, Hadari has been a part of Tiwa society and its economy for a long time now. Its history goes as far back as the earliest days of their settled life. Almost everything that has been written about the society and customary practices of the community, and all the interviews that I made during my field work, suggest that this Hadari system is an integral part of Tiwa life. Though Tiwas have not customarily owned land collectively, they have had owned and performed labor collectively. And this system of collective labour is called the Hadari system. Any task that could not be done individually was done collectively but the society and every section of the society benefitted from this practice (Dharmeshwar Doloi, in *Ring-Chhang* 1972).

A community that solely depends on agriculture needs a large number of hands on and off the fields. Feudal societies of Europe and elsewhere bear long histories of oppressive bonded labour for meeting the needs of large scale cultivation in their fields. Such difficult but essential tasks associated with the social life of settled communities are done collectively, and with care and affection. This way of living can only be found in a tribal community. From sowing to reaping, and other associated tasks are done collectively by the society. What makes the Tiwa community so open and committed to such community labour is the fact that they have prevented the formation or

rise of any hierarchy within their society. Hence there are no rules in their social structure, unlike many other communities elsewhere, that would bar them from dining or working with each other, together, shoulder to shoulder.

In a detailed interview (given in a later section here), Narayan Bordoloi said to me that the Hadari system has been defining work and labour in the Tiwa community. Young boys and girls would merrily work in the fields together, singing and dancing in their own happy world, work hard on different fields, and labour would be performed as if a part of community living. In today's world of exploitation of wage labour, this seems nothing short of a long lost world or a utopia.

The Hadari system of community labour, though now gradually dwindling, still persists to be a strong force in the Tiwa socio-economic life. This institution of community labour is also very Central to this current study. For many reasons, this egalitarian, non-hierarchical, non-compartmentalised institution and practice of community labour directly opens up wide horizon of a numerous ways in which economic forces can exist, evolve, and sustain in any society.

First of all, a community labour institution inhibits the growth of commodification and hence alienation of labour. A person continues to perform his own labour at his will, as a part of the whole community. Though land is held as family or *kula* property by the Tiwas, the labour, however, is organised socially.

Secondly, a system of labour performed wholly as a society also preserves the intrinsic dignity of labour. Labour is not hierarchical. As Tiwas proudly claim, everyone of them, men and women, young and old, all perform the same jobs, they work together side by side. No task is considered inferior to another. This camaraderie also leads to a fairly egalitarian society. In one of my interviews, Narayan Bordoloi told me that, unlike the caste Hindu societies, the Tiwas do not have any restrictions on dining together. Here everyone works together and eats together, and therefore, an individualised hierarchical society is prevented from being built up.

Thirdly, though a non-specialised economy is treated as pre-modern or un-developed, in the tribal socio-economic context it also maintains a non-compartmentalised economy and fairly integrated social life. The strict separation of the economy from the rest of the social life, and its treatment as an independent and autonomous sphere does not take place in a communal economy. The economy, hence, continues to exist as an open space, continually intersected, overlapped and mutually constituted by the entirety of the social existence of the people.

Fourth, labour regarded as a part of the social existence inhibits its commodification. The money economy remains external to the socio-economic life of the community. The Hadari system ensures that the fields are sown and the harvest are reaped for everyone. It ensures that no one goes hungry in the village, that no one shall be forced to submit to money-lenders to keep their families fed.

And finally, a system of community labour, in contrast to a capitalist system, ensures that each individual grows with the community, the social, economic and political fulfilment of each individual rests on the fulfilment of the community as a whole.

The community in the economy of the Tiwas

The other primary attribute of the Tiwa socio-economic customary practices is the strong presence of the community. Even apart from the Hadari system, land has been traditionally owned by the *kulas* or the *khels*. It is only recently that land began to be divided amongst the individual families of the kulas. The community or the collective, however, continues to be a major factor among the Tiwas. From the very beginning of the child's life, his or her entire socialisation takes place not only through the parents, but also the entire community. *The* C*hamadi,* for instance, is the common forum for every Tiwa child to grow. The *Chamadi* provide the platform where they get not only their basic education, but also learn to be truly social. They grow up with one another, so their idea of the good life is embedded in the collective. Since as long as history informs us, the Tiwas have maintained this strong sense of the collective as have most of the other communities of the region.

The strong presence of the collective self can also be seen in the administrative and judicial customary practices of the Tiwas. No codified legal system of administration runs the lives of the people here. There is no sanction of an ever-dominant state to back up their customary laws. S. K. Chauhan writes that "most of the disputes in rural upper Assam, even today, are settled through traditional institutions (traditional village panchayat) and only a handful of cases are referred to the modern institutions and they have found less recognition with the villagers as far their 'dispute settlement function' is concerned" (Chauhan 1978: 62). The major part of their feuds, disputes, debates, and their customary norms are decided collectively by the community and overseen by their democratically chosen representatives. The decisions are always respected and obeyed, and not in fear of sanctions, but because the collective is central to the community life of the Tiwas. Syiem reiterates this and writes that, "Adjudication of civil disputes and administration of justice are carried out according to customs and usages which have descended from generation to generation

by word of mouth from parents to children. These customs are so deep-rooted that a change of place or even a change of faith or religion could not affect them particularly in respect of those which are fundamental to them like the law of inheritance, marriage customs, kindredship and the like" (Syiem 1967: 256).

Traditionally a subsistence-base self-sufficient agricultural economy, the Tiwas have lived with the community or the collective at the centre of their socio-economic lives. Largely based on barter exchanges, their economic production has been on the basis of mutuality. Accumulation of resources, therefore, never took place in these communities. In their non-hierarchical, democratic background, the collective continue to command over use and ownership of resources, primarily land. The presence of such strong collective also hindered the growth of money-lenders and landed aristocrats here. In fact, the *Chamadi*, which is at the centre of the village life, often was trusted with a share of the community's resources that, during times of need, functioned as banks. They could lend economic support to those who needed within the community. This made the existence of money-lending businesses almost impossible. Indebtedness therefore was rare even with poor farmers. Strong presence of the collective among the Tiwas has, therefore, kept their economic space outside the generalised monetary economy for a long time.

The Tiwas and Politics

The Tiwa Autonomous Council

As has been discussed above, the precarious conditions of the plain tribals of Assam led to the formation of tribal belts and blocks. This was first proposed by the Bordoloi Sub-Committee to the Constituent Assembly and later executed by the Bordoloi government. "The members of the Sub-Committee realised that there was a need to enable the tribal people to safeguard and conserve their way of life and to make it possible for them to participate fully in the political life and administration of the state equally with the rest of the people of the state" (Hazarika 1978: 88). The Tiwa Autonomous Council has now become the political apparatus at the hands of the Tiwas to defend their traditional rights and freely participate in the affairs of the state.

In 1995, The Lalung (Tiwa) Autonomous Council Act was passed and The Lalung (Tiwa) Autonomous Council was created. The Council strives to secure the land of its people, which however, it has not been able to successfully do due to lack of any major constitutional back-up. But

the age-old histories of the indigenous communities and their intrinsic, unhindered relation with these lands, have built up the very fabric of Assam. No development plan, no humanitarian goal shall be meaningful without the survival of these communities. Their plight must be duly and rightfully considered.

The Lalung (Tiwa) Autonomous Council was renamed the Tiwa Autonomous Council in 2001 (The Lalung (Tiwa) Autonomous Council Amendment Act 2001). The same act also introduced a new clause 2(u) that reflected the idea of 'core areas' of the council. The principal act of 1995 only mentioned the satellite areas (cluster of villages, not essentially contiguous, having more than 50% Tiwa population) in its preamble and clause 2 (q). The original act mentioned only the satellite areas due to the wide distribution of Tiwa population over large area and the loss of their contiguous areas at different historical junctures. The difficulties with this kind of scattered clusters of areas have been quite apparent, from both legislative and administrative aspects. This led to the identification of some core areas in 2001. The Tiwa Autonomous Council (Amendment) Act 2005 further elaborates on it. The amended Preamble reads as this: "It is expedient to provide for the establishment of a Tiwa Autonomous Council, within the state of Assam with maximum autonomy within the framework of the constitution, comprising of the Satellite Areas and the Core Areas, for social, economic, education, ethnic and cultural advancements of the Tiwa and other Scheduled Tribe communities residing therein". It further amends clauses 2(q) and 2(u). Clause 2(q) states that: ""Satellite Areas" means the area or areas consisting of non-contiguous cluster of villages predominantly inhabited by Scheduled Tribes population having 50% and above as a whole in the cluster and not necessarily in the individual villages". Clause 2(u) explains that the "Core Areas" means the compact and contiguous areas predominantly inhabited by Scheduled Tribes population having 50% and above as a whole in the area and not necessarily in the individual villages. Thus, the scattered nature of population has been very characteristic of the community's social existence today. The community strives hard to maintain their customary practices and traditional life-style vis-a-vis the modern interventionist state and over-imposing economy.

The Council aims to provide for an establishment of an administrative authority in the name and style of 'The Lalung (Tiwa) Autonomous Council'. The Preamble of the Act state that "It is expedient to provide for the establishment of a Lalung (Tiwa) Autonomous Council within the state of Assam with maximum autonomy within the framework of the Constitution, comprising os the satellite areas of village councils formed out blocks of contiguous revenue villages, each having more than 50% population of Laung (Tiwa) community, without having any compact area for

social, economic, educational, ethnic and cultural advancement of lalung community residing therein" (The Lalung (Tiwa)Autonomous Act 1995). The Act goes maximum autonomy to The Lalung Autonomous council within the council area. It must have a General Council and an Executive Council. The General Council consists of thirty members of which twenty six are directly elected for a term of five years, and four nominated by the government. The Council elects one member as the Chief Executive Councillor (CEM) who functions as the President of the General Council. The General Council has the executive powers over a range of issues including land and land revenue. Paragraph 19(5) of the Act states that the Council shall "guide customs and traditions and social justice of the Lalung community according to the traditional laws". The Executive Council consists of the Chief Executive Councillor and three other executive Councillors. The Executive Council is held collectively responsible to the General Council. All the executive powers of the General Council are vested in the Executive Council which meets at least every three months. These provisions, however, could not substantially prevent the already continuing alienation of land of the community. In the context of increasing land alienation within the Belt and Block areas, some amendments were made to the Act. Through an Amendment Act of 2005, the Section 18 of the original Act was amended. The amendment states that 'no allotment or settlement of land shall be made in the Council area without the recommendation of the Executive Council' (Tiwa Autonomous Council (Amendment Act) 2005). However, in my conversations with the councillors and especially the C.E.M Mr. Paban Manta, it transpires that the Council has not been able to fully protect their lands in spite of these safeguards. Land alienation persists to be a primary concern for the Council. All the indigenous communities of Assam have been experiencing the same crisis with their lands, which they are striving hard to protect through constitutional safeguards and conservation of their customary laws and practices.

Two Oral Narratives and Their Reading

The search for the oral narratives of their past as well as their customary practices regarding land, labour and such socio-economic practices took me to many villages right in the heart of Assam. In the many conversations that I had with so many of them, the richness of their practices, the progressive spirit of community life and the open acceptance of diversity have been very apparent and clear. Two of these narratives I give at length below, after which I attempt a critical reading of the themes and issues that rise from them.

NARRATIVE - I

Narayan Bordoloi

(Ex Gaon Burha/ Village Headman, Occupation: Agriculture)

The Tiwas have traditionally lived under the king. The Tiwa king ruled over the entire population. The Tiwas, descendants of the Jaintias as they are supposed to be, originally lived in the hills and gradually descended to the foothills and the plains. Tiwas till today continue to exist both as hill tribe and largely as plain tribe. Over time the king in the hills came to be called 'Kholaraja' and the king in the plains 'Gobharoja'.

Tiwa community is a closed community. Its economy has been commonly handled independent of the developments outside. Till very recently (as late as 1960s) the Tiwa economy largely existed on barter type exchanges. The community of the Tiwas has never believed in or practised any kind of accumulation of wealth. Specialisation of economy was not common either. Traditionally putting its faith in simple and independent living, the needs of the community were limited and could be almost always locally fulfilled. Trade, whatever existed, was carried by outsiders (mostly people from outside of Assam). This trade largely came with the British. And all through this period there were only two commodities that the Tiwas bought from the world outside through the formal trade exchanges: Kerosene and Salt. These items had to be bought as these could not be produced locally. Before the advent of the British we actually used substitutes like "Kola khar" (black soda) for salt etc.

A defining feature of the Tiwa community is the way labour is organised throughout the society which is popularly called 'Hadari'. This is a system of community labour. Young people of the community work together in a group. Largely during the sowing and harvesting seasons and also for different tasks at household, this group would go from one home to another and provide the necessary service. As already said, within the Tiwa community monetary exchanges have largely been absent. This mutual work demanded one basic condition to be fulfilled: that is at least one able young person (if any) from each family must be a part of the group. All that the family was supposed to do when this group worked was to feed them for the day and treat them with '*xanj*' (traditional home-brewed liquor). Work at the fields were also done as community task in

groups. Individual farming has been almost non-existent. Young girls and boys work together, eat together and dance in the fields with little intoxication after their day's work.

The economy, land and what they regard as wealth of the Tiwas has traditionally been in the hands of the women. The Tiwa community is divided into many '*kulas*' or '*bonxo*' (families). The land is owned collectively by each *bonxo*. The ownership and decision making powers finally rested with the youngest daughter who mostly took the position of a matriarch. Each *kula* owned about 100 bights of land. Things however started to change after independence of India as the Tiwa society more and more came into contact of the mainland ways of life. Also the colonial government had left the Tiwas considerably independent in their internal affairs. The independent government however made conscious and continuous attempts of assimilation. Tiwas have begun losing land to different communities (largely Bengali immigrants) in spite of constitutional protection, thanks to the corruptions and political short-sightedness of the Council.

The degrading position of the women in the Tiwa society is fast getting normalised as the community is increasingly getting assimilated into the larger Assamese/majority society. The older generation of the community still lives in the sweet nostalgia of the perfectly managed and administered matrilineal days. Thanks to the powerful position of the women, the Tiwas for centuries have lived in peace and harmony in spite of the changing external political rules. These matriarchs of the families are not supposed to be married off. Instead they are supposed to marry and bring home an able man. Families looked for grooms and brought suitable young men, one at a time, and kept them at home for over a year which was more like a test. If found capable, he was married to the bride, or else sent back home. If the girl leaves home to get married, she loses her rights of inheritance. Therefore the rule generally has been to bring grooms home rather than brides. Apart from this single (though of utmost importance), Tiwas are very open about marriages. If young men and women of marriageable age (considered to be 20 for men and 16 for women) fall in love and decide to get married, the society accepted them with open arms after the fulfilment of the minimal customary duties (like treating the community with food and *xanj*). Only bar among the Tiwas is regarding marriage within the same clan or *bonxo*. But even that was not inexcusable, only the price to be paid was higher and the rules little strict. The Tiwas, under the powerful position of the women, have been a very open and egalitarian a community.

The administration and justice system still continues to be practiced based on the customary laws. Many gotras make a *kul*, which in turn together form a clan/*bonxo.* The headman of every is called

'*Bor-Jela*'. *Bor-Jela* is assisted by couple of '*Jela*'s. The village headman is called the *Laurau*. All religious, judiciary and administrative decision making is done by the *laurau*. In the Tiwa society most of the dispute resolutions and judiciary decisions are taken according to the customary laws (as have been practiced). These customary laws that govern the land, labour, and justice system of the Tiwas have not yet been codified. Therefore practices are generally inherited from one generation to another through memory and oral histories. The constitutional and administrative retributive measures are only sought as the last resort and very rarely so.

NARRATIVE - II

Robin Bordoloi

(Peasant, Cultural Activist)

The Tiwas are primarily divided into two sections: those who live in the hills and those who inhabit the plains. Many of our neighbouring tribes like the Khasis, Garos and Jaintias came under substantial influence of Christianity during the British rule and many of them adopted the religion. Tiwas remained away from its direct influence and, therefore, conversions, if any, were very few. However, the influence and role of the Christian missionaries cannot be ignored. As the Assamese society began to increasingly come under the influence of the Hindu social system with Brahmanical caste elements, the indigenous tribal communities got sidelined in the social structure. Hierarchies were begun to be set and the tribal communities got deprived of developments like education. A general presence of the Christian missionaries and their social activities gave us the initiative to get modern education. The role of Christianity, therefore, is primary in understanding the Tiwas today.

The Tiwas are predominantly an agricultural community. Agriculture and cattle rearing have been our primary activities as a community. As such, we have always been self-sufficient in our economic lives. The main medium of exchange has been barter. Introduction of money in our economies has been a very recent development. The basis of our communal lives has been mutual cooperation, manual as well as material. We have a very well difined system of labour called the Hadari system. This system reflects the idea of mutual cooperation on which our society bases itself. As all socio-economic activities are done communally, the Hadari system ensures that the fields will be ploughed and crops will be sown by everyone and for everyone. Everyone here works

together and we do not consider any task inferior. And no one, therefore, gets alienated or deprived within the community's social life.

Every village or couple of villages here has a *Chamadi*. The *Chamadi* is the common place for all public activities of the people. In actual terms, the life of the people revolves around it. Every *Chamadi* has a *dekachang* (*deka* means young and *chang* means an elevated stage). The *dekachang* provides the platform to our young girls and boys to socialise, to know one another, and to know the community. It is here that they learn the traditional customs, music, dances, rituals and so on. It is an open space and everyone from the community is a part of it. We Tiwas do not have written codified rules and regulations or customary laws. It is in these common platforms that our customary practices, our histories are handed over from one generation to another, and it is how they are kept alive.

We have been traditionally a matrilineal community. The *Harikunwori* is the best example of it. The *Harikunwori* has been traditionally the centre of any family or *kula*. She is the hereditary leader of the family and makes all important decisions as well as conducts the ceremonies. We have known our earlier generations to have matrilineal families. The *Harikunwori* is assisted by a senior male member considered to be knowledgable and wise. He is known as the *Bor-jela*. Over time, however, the importance of the matrilineal institutions are gradually declining and the Tiwa families are more and more structuring themselves into the patriarchal nuclear families that surround them. Even so, we do continue to maintain the open and democratic nature of our traditional societies. Like, everyone here is free to choose their own partner for marriage. Two people from the same *kula* are barred from getting married and that is the only restriction we have. But even if that happens, we do not punish them. They are either adopted into another *kula*, or are settled in some neighbouring village. In fact,we have one entire village of such couples who live in peace and without any disturbance. In the face of growing challenges in terms of our dwindling population strength, basic economy, increasing cultural impact of the dominant communities, we are striving to keep our traditions alive and our lands, whatever left, safe.

Reading the Narratives

These narratives give us many insights into the indigenous people and their existence vis-a-vis the larger capitalist transformations and their growing penetration. Here I can discern a few very distinctive and determinate positions among the people of the community. First, I found a profound

variance in the narratives of the people who adhere to the indigenous way of life with land and agriculture still as central to their lives, and that of those who have largely been for a generation or more been part of the larger administrative and economic system. The latter have adapted themselves into the 'outside' world and look at the indigenous practices from an essential external standpoint. Linearity of time and progressiveness of 'modern' economic practices are seen from the capitalist standpoint. The indigenous way of life, the Hadari system for instance, becomes then essentially "backward". The former group on the other hand, which dominates in number, however, holds different and quite opposite view. There have been conscious attempts by these people to sustain the time-tested indigenous practices which they consider to be better formulated and far more progressive and liberal than the "modern" practices.

Second, Tiwas have been a closed community for centuries and have had only minimal exchanges with outsiders. Their definition of outsider is inclusive enough to take into the category the mainland Assamese as well as other indigenous communities. Religion has never been a category of identity of them. However, given the current context, they strongly assert that they do face threat in terms of both land and labour from "illegal migrants" (all of them were very assertive about it). However, they have been making this clear that religion has never been of any concern to them (unlike how political parties have portrayed it) so much so that they now use different nomenclature to refer to the Assamese Muslims (considered to be integral part of Assam and whom they have lived with for centuries) and those they consider illegal migrants.

Third, Tiwas have faced more onslaught of homogenisation and attempts at assimilation (however unequal) after the Indian independence. The British had cleverly followed a policy of non-interference among these indigenous communities. They therefore enjoyed much autonomy in the colonial administration. Things however began to change with the independent Indian government, more so after 1970. Hence, the Indian government is seen with more scepticism than the earlier British administration (to whom they are thankful for introduction of education).

Fourth, the Tiwas have considered codification of their customary laws with hesitation and suspicion. They have in fact never till the end of the twentieth century made any serious effort in that direction. However, with the increasing assimilation with the outside world, they fear losing not only their land but their customary practices as well. It is this fear that is now making them consider codification as a step towards protection. This may however lead, paradoxically, to more assimilation and easier penetration of market forces which they have been resisting.

The next and final chapter will attempt to bring together the themes of this thesis and raise questions for further research.

CHAPTER 6

CONCLUSION

This study is an endeavour to understand the emerging discourses regarding indigenous identity and juxtapose these beside capitalist transformations thereby questioning the assumed unity, hegemony and dominance of a capitalist system. It looks into the essential multiplicity of the socio-economic realm and analyses how various indigenous customary practices have resisted capitalist transformations. Capitalism's expansion necessitates transformation of these particular customary realities. But they stand, in being different from any unilinear and hegemonic singular system, as the greatest challenges that capitalism has had to face.

Indigeneity is not an easy concept to be defined. It has been understood and interpreted by different scholars at different places, differently. On a very basic and rudimentary understanding, indigeneity can be regarded as belonging to or situated at a certain place in terms of being the original inhabitants of the place. However, in a context of growing challenges in terms of increasing loss of the traditional dominance of the indigenous communities over their land and resources, the exclusiveness of such an understanding has come to be questioned. Indigeneity has now, therefore, come to denote communities with distinct customary cultural and socio-economic practices who had been inhabitants of a particular place prior to any colonial occupation. The major thrust of defining the category has started to be put on the indigenous peoples themselves. Increasing activism of these communities in the international agencies and also within their own contexts, has now made their agency in developing any discourse surrounding the category undeniable and unsurpassable.

The international agencies, especially the United Nations and the International Labour Organisation, have provided some most productive platforms for debates, discussions and deliberations on the issue of indigeneity. The Martinéz Cobo Study of 1981, for instance, provides the base for some most fundamental conceptualisations of the category. These organisations also work as fertile ground for representatives of various indigenous communities to come together and engage with their shared experiences. Participation in these conferences has substantially grown

over the years. Though some criticisms have come against the role of the international agencies in indigeneity issues, their importance can not be denied here.

Two important aspects in the discourse of indigeneity that have come in this study must be mentioned here. The first is in regard to the related concept of self-determination. Indigeneity's conceptual association with self-determination has made many states and governments sceptical. In India, its post-colonial state building has not been comfortable with any self-determination debate and this has led to its hesitant and somewhat dismissive attitude towards indigenous issues. In many cases, this association can be important as well. However, this need not be necessarily so. Most scholarship in this area now asserts that the indigenous movements all around the world are more about protection of traditional customary rights and identities and demand for just and equitable place within a state structure, rather than an independent statehood.

Secondly, indigenous peoples have also largely been understood in terms of alterity. The basis of studying them has been mainland capitalist societies. The deprivation of these communities are, therefore, explained in terms of their distance from 'modern' 'developed' world. The discourses on tribal society and explanations of their deprivations based on their isolation and separation create hierarchies of identities and lead to self-other dichotomies. To say that their inclusion into the majority societies will make things better only reiterates these problems. Capitalism's central position in theoretical discourses, and assumptions of its unilinearity, dominance and hegemony obscure any nuanced understanding of complex concepts like indigeneity as indecent socio-economic category.

The assumed centrality and dominance of the capitalist system and the progressive forces associated with it render the particularities and peculiarities of economic practices, the local sides of the economy, redundant and turn them into obstacles. Questioning the hegemony and homogeneity of capitalism brings us the space for engaging constructively with the multitude of economic realities that have traditionally existed across the world. The 'inevitable' decline of exploitative capitalist economy, then, necessitates the rise of 'world' socialism. This revolutionary upheaval grows on the bedrock of the working class. Capitalist expansion and exploitation creates in the entire world two antagonistic classes: a political identity that subsumes all other identities. This obscures the essential complexities of socio-political identities. The binary of dichotomous classes and capital/ noncapital socio-economic categorisation leads to exclusion of any difference or 'divergence' as 'disturbance', of which the indigenous customary realities are a big part. The Enlightenment-

inspired concepts of ‘modernity’, ‘development’, ‘civilisation’ — embodied in the totality of the capitalist system — become universal standards of a good life. Its theoretical opposition to the egalitarian, socialist society, too, rests on similar foundation of universal norms.

The question then is: If the hegemony of capitalist system creates an undiversified, singular world i.e., exclusive of any inherent diversity, can an equally homogenous socialist world be its answer? Who decides which norms to be universalised and which to be excluded? Or, how can one even decide between a norm and an exception? Can one universal theory/phenomenon be equally universally applicable across time and space? How do we account for the numerous indigenous realities that have autonomously existed for a much longer time than capitalism?

The unfailing advocacy of the heterogeneity of the socio-economic space, lived by so many different communities, can be one way to answer these questions. Western perspective of modernity that creates a unilinear historical matrix needs to be questioned. The Western trajectory presents only a small fragment of a complex historical time. Assertion of the diversities of historical realities and complexities of identities must be the starting point of any study of the ‘world’ socio-economy and its history.

In the case of Assam as well, much of these western matrices have been used to study its history and society, and have failed to understand it. Not even the neat periodisation of history proves to be useful here. Assam’s social history and identity have evolved in overlapping ways making it a diversified and complex case. Fast changing demography and increasingly transforming economy have made the indigenous communities very vulnerable. Land alienation and the neoliberal market are threatening their otherwise self-sufficient and independent socio-economy. Understanding these communities and their struggle needs an unbiased and multi-focal perspective.

Assam is a land of numerous communities that have lived together for a very long time. Its collective history and identity is one of assimilation and amalgamation vis-a-vis autonomy and distinctiveness. Even during the Ahom rule, the internal fabric hardly changed. Ahoms adopted the indigenous ways of life and led to the foundation of a common Assamese identity. Assam’s independence from mainland India kept it away from the direct influences of the hierarchical Brahmanical system. In its socio-economy, the customary practices of different communities were egalitarian and communal. This precluded the formation of any distinct class cohesiveness/identity here. It is only with the advent of British colonialism that Assam and the entire North-East got substantially attached to mainland India. Large-scale migration and colonial economic policies

disturbed its otherwise independent economy. The complexity of the ethnic make-up, and the internal unity and egalitarianism of the indigenous economies, especially those of the hill tribes, deterred the British administration from total interference. However, the indigenous communities of the plains, both tribal and non-tribal, have had to bear the brunt of these development. They still struggle for their land, their rights and their identity.

The Rabhas and the Tiwas are two major plain tribes of Assam. They were chosen in this study because they both are two of the oldest communities and have lived here for thousands of years; their central locations (western and central Assam) pose serious demographic and economic threats. Their own customary socio-economic practices are some of the best examples of collective, egalitarian existences. In their spirit of the community they have stood as bulwark against capitalist transformations. The liberal state structure has mostly worked against their interest. It is in these indigenous communities and their collective practices, this study argues, lies the future of an egalitarian world.

Capitalism, in the 21st century, has now obtained a truly global character in its attempt to reach the remotest corners of the world's various economic systems. As it encounters the myriad of such realities, it inevitably and desperately attempts to transform the differences into its own intelligible language of commodification and profit-making. These endeavours at a global level now transform it into a world capitalism; not because of any internal logic of universality or hegemony, but because, in its precarious existence, it attempts to transform and assimilate different socio-economic realities all over the world with such urgency. As this study has attempted to show, capitalism's assumed omnipotence and dominance, as well as its inevitability, have now increasingly come into scrutiny and has proven itself to be unfounded and fictitious. Capitalism is expanding, but it also is failing. Every act of assertion of identity by various communities, of their reclaiming traditional lands, of their conscious defence of customary practices, of their celebration of customary economic ties acts as a mark of defiance. The question, then, is, from where would the challenges to world capitalism rise, how would they unite, and what would they lead to.

In a letter to the Editor of 'The Notes on the Fatherland', written towards the very end of 1877, Marx wrote, in reply to a critic, about "the efforts of the Russians to find a path for development for their country which will be different from that which Western Europe pursued and still pursues". Writing further on the context of evolving modes of production, he further noted: "Events strikingly analogous but taking place in different historical surroundings led to totally different results. By

studying each of these forms of evolution separately and then comparing them one can easily find the clue to this phenomenon, but one will never arrive there by the universal passport of a general historico-philosophical theory, the supreme virtue of which consists in being super-historical" (Torr 1942: 355). Some time after this, in September 1979, in a joint letter to Bebel, Liebknecht, Bracke and others (which Engels wrote for them both), Marx and Engels clarify their position regarding German socialism and the developments of the time. This letter, a testament to their uncompromising revolutionary spirit and their rejection of any opportunism within it, they thus end:

> "Here there is an absolute lack of real cultural material, whether concrete or theoretical. In its place we get attempts to bring superficially adopted socialist ideas into harmony with the most varied theoretical standpoints which these gentlemen have brought with them from the university or elsewhere, and of which, owing to the process of decomposition in which the remnants of German philosophy are at present involved, each is more confused than the last… When the International was formed we expressly formulated the battle-cry: the emancipation of the working class must be achieved by the working class itself. We can not therefore co-operate with people who say that the workers are too uneducated to emancipate themselves and must first be freed from above by philanthropic bourgeois and petty bourgeois" (ibid: 375- 377).

Much time has passed since Marx and Engels, and much has been written since then to develop the discourse they had initiated. Why I wanted to talk about these letters here is because of two very important ideas they reflect from the later years of both these philosophers. Firstly, they clearly underscore the essential variety and differences of contexts in terms of capitalist development — both in temporal as well as spatial terms. Singular histories had ceased to be in vogue then and must be renounced now. Secondly, they bring forward their undeniable advocacy for the agency of the masses, expressed here in terms of the proletariat. This, and their insistence that no universal historical theory can ever fully comprehend the actual developments of different societies, testify that these readings must therefore come form the ground, from the people themselves. Both these standpoints are of immense importance today in the struggles against world capitalism.

If left without doctrination and regarded as theoretical masterpieces, Marx and Engels's works give much insight into the questions posed here. As the capitalist drive expands, the many different peoples, hitherto not in direct association, come into immediate encounter with capitalist forces. Such encounters take different forms at different contexts and defy any singular interpretation. Each of these encounters must be studied and understood on its own right, and cannot be 'othered' in some overarching intellectual venture. It is from these points of encounter, these blurred, overlapping lines between the traditional/indigenous economy and the capitalist system, that the struggle against capitalism will rise.

In Assam too, we can everywhere find people, communities fighting capitalist appropriations in different ways. These essential socio-economic realities will provide the theoretical as well as practical opposition to the assumed homogeneity and singularity of capitalist forces. Each of these struggles will be peculiar, united only in their opposition to capitalist transformation.

To attain any substantial understanding of these communities and their struggles, indigenous peoples must be recognised with their rightful agency. The 'orient', the 'subaltern', the 'marginalised', the 'periphery' — all these have for long been read from perspectives external to them. Judged from such alien standards, these societies have been understood in their negation, in terms of what they lack or what they are not. The growing activism of the indigenous peoples world over bring new light to these discourses. Their demand for agency in defining or explaining the category reject such alterity and curve out their own discursive roles. In the emerging pedagogy then, indigeneity shall be a statement of struggle and power. In north-east India in general and Assam in particular, the indigenous communities have continually asserted their differences and distinctiveness. The British colonial administration made the best possible attempts to assimilate these peoples into the larger socio-economic system. The hill tribes could still maintain certain autonomy. But the plain tribes were not as fortunate, and being surrounded by Hinduised communities and being closer to the state, they have had to bear the greater brunt of the transformations. Since independence, they have been ceaselessly fighting for their identity and rights.

In their discursive roles the indigenous peoples interpret, reinterpret and reconceptualise world capitalist developments in their own world-views. The encounters and the blurred lines are no more unilinear impositions of capitalism on powerless vestiges. These encounters are mutually constitutive and mutually transformative. That capitalism is expanding and that it is today present in nooks and corners of the world-economy is undeniable. Capitalism's growing prowess, too, is undeniable. But what is equally worth recognising and worth understanding is the immense fight that all these 'vestiges' have put up against capitalist transformations and the immense potential they carry together to strike disfiguring, disintegrating and destructive blows to capitalism, one after another.

Since the encounters are mutually constitutive, the indigenous customary practices transform capitalist structures in those points as much as capitalism changes them. They adopt capitalist commodities and turn them into something communal and traditional. Commercial rubber

plantations have been adopted by the Rabhas into their customary socio-economic practice of community ownership and collective responsibility. Not that capitalism's commodification and private ownership has not left a mark. But that such marks have not been overwhelming, that capitalism's expansionary elements can be turned the other way round, that communal and collective economies can directly subsume commodified object and transform them, even if in some small way, challenges the infallibility of capitalist structures. The fervent attempts of the Tiwas to keep alive the Hadari system, where labour is truly free and work is an extension of the self, directly challenge the theoretical supremacy of capitalism and the world associated with it. As capitalism expands, these encounters grow. As these encounters grow, the struggles also grow, and with them grows the decay of the capitalist system.

A large number of poor peasants in Assam have been facing these capitalist aggressions, more so with the fast-changing demography of the region that came with colonial occupations. Indigenous communities are struggling for their lands and resources. Capitalist appropriation of the production process and the markets make the struggle harder. But these increasing aggressions also create, simultaneously, growing unity among these communities. New ways are looked for. Co-operatives have become a major way, for instance, to compete with a capitalist market. Their united force stands as a barricade. Shared histories, experiences, memories, narratives and a shared anxiety for the future bring the disparate communities together and build them as a new force.

The standard platforms of anti-capitalist struggles are far from becoming totally obsolete. Class identities, no doubt, are still regarded within these organisations as the primary political identity. Trade Unions, Labour Unions still largely function on the principle of class antagonism. Peasant movements also to some degree espouse the idea of class struggle. Not that class is irrelevant, only it is insufficient. Identities are complex. They must be read and regarded as overlapping, heterogenous processes and categories. Gender, caste, race, language, indigeneity, ethnicity — people identify themselves politically and socially with different categories. If it is the people's agency to curve their role for themselves, then the numerous categories of identities must be regarded in the struggle against capitalism. Each is fertile with immense possibilities of different forms and colours of struggles — again, united only by their common opposition to capitalist transformations.

A nuanced reading of capitalism demands moving away from binaries and dichotomies and engaging with the essential complexities of economic processes of social identities. It is, then,

necessary to deconstruct the category of capitalism and develop critical discourses on the various parts. Class, struggle, dialectics, materialism, alienation require both epistemological and ontological deliberations. Such deliberations shall open the researchers up to a constructive engagement with fundamental social categories like indigeneity. Indigenous communities and their mutually-constitutive role vis-a-vis capitalism is an important aspect of studies. Capitalism's expansion has laid deep marks on these communities, one of the most affected aspect of which is the changing nature of gender relations. Most of these communities traditionally have had very egalitarian social norms, where many even did not possess the concepts of gender roles, let alone gendered hierarchies. The impact of capitalist labour practices and its commodified relations have brought detrimental impact. But as the old world transforms, these communities are struggling for their identities and their survival. Their struggles demand serious academic pursuit.

Prospects for Future Research

This research has opened up many new questions. How can diverse readings of capitalism come up from the various categories of a heterogeneous society? Can an indigenous interpretation of capitalism substantially alter the ontological assumptions of a hegemonic capitalist analysis? The challenges of world-capitalism makes it an exigent need for research to find out the possibilities of these various deconstructive discourses and their potential for transformation. Assam provides a fertile ground to contextualise these discourses. It is imperative to see how the various communities assimilate to deal with the larger questions of nationalism. These indigenous communities have adopted capitalism and transformed it within their traditional norms. How these transformations may be sustainably adopted into different egalitarian practices is for further research to find out. The constructive attempts of communities like the Rabhas and the Tiwas to deal with capitalist appropriation, too, will require substantial theoretical reading and prescriptive analysis.

For a long time now, the so many categories of people, the indigenous communities all across the world have been fighting, resisting, preventing any overwhelming capitalist transition. Capitalism, too, has had to fight its toughest battles on the fields and forests of these peoples, tougher than those in the vanguards of Russia or the communes of China. Academics and intellectuals too, if they want to be relevant, must direct their pursuits to better understand these movements and struggles. This study is a humble attempt to do that, to write about the unsung struggles of so many peoples. If there is a better future to look up to, that future lies in this difference, in not having to be bound by

fixity of any imposing structure, to be able to live freely and justly. In the words of Bhupen Hazarika:

Mur gaan houk bohu aasthaheenotar biporite

Ek gobhir aasthar gaan,

Mur kalaxoilite murtto houk

Ek modhur boixistor maan..

(In my song, let the faith of the people rest,

In my art, let their sweet distinctiveness reflect..)

APPENDICES AND ANNEXURES

APPENDIX - 1

List of Villages Under Rabha Hasong Autonomous Council, Goalpara District

1159 THE ASSAM GAZETTE, EXTRA ORDINARY, MAY 17, 2005

BALIJANA REVENUE CIRCLE

1. Sutki N.C.
2. Sutki
3. Sutki Sal Forest
4. Sahari
5. Nalonga Pahartoli
6. Telipara
7. Khutamari
8. Dari Duri
9. Tarai Bari
10. Bordamal
11. Matia Garopara
12. Beng Kanda
13. Dakur Vita
14. Makri
15. Khar Boja
16. Pancha Ratna N.C.
17. Pancha Ratna
18. Pancha Ratna Sal Forest
19. Hurkakuchi
20. Dakur Vita N.C.
21. Sal forest (dakur vita)
22. Kalyanpur
23. Kalyanpur N. C.
24. Kochpara
25. Sarapara
26. Matia
27. Rampur
28. Gendamari
29. Bhaiskhuli
30. Bairang
31. Soto Damal
32. Kathalguri
33. Mojai Rabhapara
34. Barjora no. 1
35. Boko garopara
36. Lempara
37. Bamundanga Pt-II
38. Bamundanga Pt-I
39. Mojai Garopara
40. Darka Rabhapara Pt-I
41. Darka Kacharipara Pt-I
42. Deauli
43. Boro Khashi Khagra
44. Baikunthapur
45. Bhetaipara
46. Rangshaipara
47. Rakhapara
48. Tokrapara
49. Nichinta
50. Budhipara Jungle Block No.1
51. Chamaguri
52. Solmari
53. Gendera N.C.
54. Gendera
55. Jungle Block No.-2
56. Dasarapara Matia
57. Bhaiskhuli
58. Kurowa Bhasa
59. Goraimari
60. Garo Kuta
61. Urpad Bill
62. Kalpani Chandamari
63. Agia Part-II
64. Dalok
65. Agia Part-I
66. Bhendara
67. Balijana
68. Debattar Bapupara Pt-I
69. Dorapara
70. Debattar Bapupara Pt-II
71. Narayanpara
72. Dewlijara
73. Kisordubi
74. Dark Kacharipara Pt-II
75. Dark Rabhapara Pt-II
76. Borjora no.-2
77. Thakur Billa
78. Ketkibari
79. Gosai Ga Dhawa
80. Chaplengkata
81. Silchak Domal
82. Tisimpur
83. Hatighopa
84. Baghmara

85. Rajapara
86. Keotpara
87. Jogha Derek
88. Jagna Raj Bangsipara
89. Sat Baini Hill Block
90. Chandamari Sat Baini
91. Kalapani
92. Kukuria Pt-I
93. Kukuria PT-II
94. Ajagar Pahar N.C.
95. Hati Gaon
96. Megh Dam
97. Khakshipara
98. Rangchai
99. Badahapur
100. Sijukona
101. Matia Garopara pt-ii
102. Paglihara
103. Borduk
104. Baijuri
105. Geradubi
106. Kalindi Doba
107. Tiapara
108. Amjonga Pt-II
109. Amjonga Pt-I
110. Changmari
111. Katasibari
112. Taranti
113. Soto Kashi Khagra
114. Gendabari
115. Borali
116. Mongrai
117. Meshelkhowa
118. Nayagaon
119. Baida
120. Kachumari
121. Khangkhal
122. Rangdam
123. Chak Dam
124. Kaimari Pt-I
125. Nibari
126. Kukurkata
127. Halowapara
128. Darakona
129. Nadirkona
130. Kaimari Pt-II
131. Berubari Pt-I
132. Berubari Pt-II
133. Boro Khashi Khagra

DUDHNOI REVENUE CIRCLE

1. Guabari Mandal Gram Hills
2. Lakheraj Mandal Gram Pt-ll
3. Khara Pt-l
4. Khara Medhipara
5. Tangabari
6. Latapara
7. Deulguri Pt-l
8. Kuchdhowa Chechapani Pt-l
9. Kuchdhowa Chechapani Pt-lll
10. Deulguri Pt-ll
11. Darakhpara
12. Nabagram
13. Fafal
14. Khara Pt-ll
15. Baje Mandal Sialmari
16. Lakheraj Mandalzram Pt-l
17. Rambuk
18. Lela
19. Rowmari
20. Charaimari
21. Manupara
22. Rong Rong Para
23. Kuchdhowapara Pt-I
24. Kanyakuchi Pahar
25. Moishkhuli Khamar
26. Chouka Kata
27. Moish Khulipara
28. Kushdhowa Para Pt-l
29. Kachari Para
30. Suchia Pahar Pt-ll
31. Purani Bhita
32. Siluk Pt-l
33. Dighali
34. Bagulamari
35. Mowamari
36. Bormatia Pt-Il
37. Bormatia Pt-l
38. Borpathar
39. Bandar Shee Pt-I
40. Bandar Shee Pt-Il

41.Bandar Shee Pt-lll
42.Habanggiri
43.Chituk
44.Nishangram
45.Nakma Kundi
46.Damara Patpara
47.Siluk Pt-ll
48.Khara Bagaribari
49.Suchia Pahar Pt-I
50.Suchia
51.Rang Pathar
52.Nalbari
53.Prithupara
54.Tarapara
55.Patiarpara Pt-I
56.Patiarapara Pt-II
57.Hajaripara
58.Jakhowapara
59.Santipur
60.Rowmari Pt-II
61.Melopara Pt-I
62.Melopara Pt-ll
63.Gadim Pathar
64.Thekasu Pt-I
65.Thekasu Pt-ll
66.Thekasu Pt-lll

LAKHIPUR REVENUE CIRCLE

1. Kursapakhri Pt-I
2. Chaibari
3. Holdibari Pt-II
4. Sigri Part(I)
5. Deonapara Pt-I
6. Dhokapara
7. Panisali
8. Thorka
9. Rongdoba
10.Bamundoba
11.Nalbari
12.Kulamuwa
13.Abhirampara
14.Nayapara
15.Krishnapur
16.Joyram Kushi
17.Jhanjipara Pt-I
18.Boistompara
19.Janjipara Pt-II
20.Ghunghunivita
21.Deonapara Pt-II
22.Besorkona
23.Lahapara
24.Lambupara
25.Gobal
26.Balaikhamar
27.Sigri Pt-II
28.Dhamar Bill
29.Medhipara Pt-I
30.Medhipara Pt-II
31.Hatogaon Pt-I
32.Dhamar Reserve
33.Hatogaon Pt-II
34.Jurigaon
35.Salpara
36.Hatisila Muslimpara
37.Chatabari Pt-I
38.Chatabari Pt-II
39.Baida Pt-I
40.Baida Pt-II
41.Dipkai Pt-I
42.Dipkai Pt-II
43.Lemakona
44.Trichimkali Pandoba Pt-I
45.Trichimkali Pandoba Pt-II
46.Maladhara Pt-II
47.Maladhara Pt-I
48.Depalchang
49.Mogho Pt-III
50.Balachari Amguri
51.Magho Pt-I
52.Magho Pt-II

53.Balachari
54.Mogho Hatisila
55.Nahalivita
56.Fakirmara Pt-I
57.Kurung
58.Fakirmara Pt-II

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MATIA REVENUE CIRCLE

1. Ghoraputa
2. Rakhyasini Pahar
3. Paharsing Para
4. Rakhyasini Garopara Pt-I
5. Rakhyasini Jungle Block
6. Rakhyasini Jhar Pt-II
7. Rakhyasini Jhar Pt-I
8. Moijonga
9. Rakhyasini Garopara Pt-II
10. Futuripara
11. Harimura
12. Lalabori
13. Dahikata
14. Singijani Barigaon
15. Dabli
16. Guwabari
17. Dahela
18. Upartola Pt-I
19. Upartola Pt-II
20. Tukura Pt-III
21. Paikan Pt-I
22. Salpara Molandubi Pt-l
23. Sardarpara
24. Khairapara
25. Dhaigaon
26. Khilasastra
27. Karkasi Damas
28. Dhaigaon Damas
29. Karkashi
30. Pahidol
31. Kalpani Ghilajani
32. Salpara Molandubi Pt-II
33. Krishnai Guria Pt-II
34. Krishnai Guria Pt-I
35. Khermohara
36. Barmohara Pt-I
37. Barmohara Pt-II
38. Pachim Dairang
39. Selapara
40. Tarengthop
41. Khardang Pt-I
42. Pub-Dairang
43. Khardang Pt-II
44. Belpara Pt-II
45. Belpara Pt-I
46. Bamun Panikhowa
47. Khamari
48. Manjuli Hills
49. Pub-Jira
50. Chenimari Pt-III
51. Senimari Pt-I
52. Hatimura Pt-l
53. Darapara Pt-I
54. Darapara Pt-II
55. Hatimura Pt-I
56. Chenimari Pt-Il

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RANGJULI REVENUE CIRCLE

1. Kanyakuchi Saljhar
2. Chatabari
3. Kanyakuchi
4. Chowkapara Kahibari
5. Allibari
6. Ganesh Pahar
7. Kahibari Pt-II
8. Kahibari Pt-I
9. Tiplai Pt-II
10. Sikajulighagra Mowamari
11. Bhalukjuli
12. Khilamara
13. Budlung Pahar
14. Kahibari
15. Garopara
16. Garopara
17. Thakuriapara
18. Kayasthapara

19. Majpara Khamar
20. Bakrapara Pt –I
21. Budlung Chanchali Para
22. Budlung Garopar
23. Budlung Saljhar
24. Ghagra Saljhar
25. Ouguri
26. Gaghra Pahar
27. Bamuni Gaon Pt-Il
28. Bamuni Gaon Pt-I
29. Chitalmari
30. Bangaon
31. Ambari Pt-lV
32. Ambari Pt-Il
33. Ambari Pt-I
34. Dhontola Pt-I
35. Kathalmuri Palsa
36. Palsa
37. Patpara Pt-I
38. Gohaiburi
39. Khamar
40. Fakirpara
41. Bakrapara Pt-II
42. Panditpara
43. Saraoara Pt-II
44. Mahajanpara
45. Baniapara
46. Dosimapara
47. Sardarpara
48. Badiarpara
49. Jaldhapara
50. Adopara
51. Rowmari Pt-I
52. Hadipara Bhamra Pathar
53. Sildubipara Pt.-I
54. Sildubipara Pt-II
55. Madang Pt-II
56. Madang Pt-III
57. Sarapara Rangjuli Saljhar .
58. Sarapara Pt-I
59. Patpara Pt-II
60. Madang Pt-I
61. Patpara Pt-II
62. Aoimari
63. Gathiapara
64. Khekapara
65. Maslam Pt-II
66. Piplibari
67. Bordal Pt-II
68. Ghilabari
69. Jogipara Pt-I 437
70. Jogipara Pt-II
71. Jogipara Pt-III
72. Dighali Pt-II
73. Dighali Pt-III
74. Maslam Pt-I
75. Kathakuthi Pt-II
76. Saljhar Block
77. Kathakuthi Pt-VII
78. Kathakuthi Pt-I
79. Dighali Pt-I
80. Dhupdhara Pt-III
81. Kathakuthi Pt-III
82. Kathakuthi Pt-IV
83. Kathakuthi Pt-V
84. Kathakuthi Pt-VI
85. Ambuk Pt-I
86. Ambuk Pt-II
87. Shyama Gaon Pt-II
88. Shyama Gaon Pt-I
89. Dumapara Pt-I
90. Bardamal Athiabari
91. Athiabari
92. Chekowari Pt-III
93. Chekowari Pt-I
94. Dumapara Pt-II
95. Ambuk Pt-III
96. Chekowari Pt-II
97. Dhupdhara Pt-I
98. Dhupdhara Pt-II

APPENDIX - 2

ASSAM ACT NO. XXV OF 1995

(Received the assent of the Governor on 27th October, 1995)

THE LALUNG (TIWA) AUTONOMOUS COUNCIL ACT 1995,

AN ACT

Preamble. Whereas it is expedient to provide for the establishment of a Lalung (Tiwa) Autonomous Council within the State of Assam with maximum autonomy within the framework of the Constitution, comprising of the satellite areas of Village Councils formed out of blocks of contiguous revenue villages, each having more than 50% population of Lalung (Tiwa) community, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Lalung community residing therein.

APPENDIX - 3

1636 THE ASSAM GAZETTE, EXTRAORDINARY, MAY 17, 2005

ASSAM, ACT NO.XXIII Of 2005

(Received the Assent of the Governor on 8th May, 2005)

THE TIWA AUTONOMOUS COUNCIL (AMENDMENT) ACT 2005

AN

ACT

Further to amend the Tiwa Autonomous Council Act, 1995

Assam Act XXVI of 1995

Whereas it is expedient further to amend the Tiwa Autonomous Council Act, 1995 hereinafter referred to as the principal Act, in the manner hereinafter appearing:

It is hereby enacted in the Fifty-sixty Year of the Republic of India as follows:

Short title, extent and commencement

1. (1) This Act may be called the Tiwa Autonomous Council (Amendment) Act, 2005.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of the preamble

2. In the principal Act, for the existing Preamble, the following shall be substituted, namely:-

"Preamble — Whereas it is expedient to provide for the establishment of a Tiwa Autonomous Council within the State of Assam with maximum autonomy within the framework of the Constitution, comprising of the Satellite Areas and Core Areas, for social, economic, education, ethnic and cultural advancement of the Tiwa and other Scheduled Tribes communities residing therein.

Amendment of Section 2

3. In the principal Act, in Section 2, for the existing Clause (q) and (u), the following shall be substituted, namely:-

"(q) "Satellite Areas" means the area or areas consisting of non-contiguous cluster of villages predominantly inhabited by Scheduled Tribes population having 50% and above as a whole in the cluster and not necessarily in the individual villages;"

(u) "Core Areas" means the compact and contiguous areas predominantly inahabited by Scheduled Tribes population having 50% and above as a whole in the area and not necessarily in the individual villages;"

Amendment of Section 4

4. In the principal Act, in section 4, in sub-section (1), the word "Tribal" shall be substituted by the word "Scheduled Tribes".

Amendment of Section 6

5. In the principal Act, in Section 6, in sub-section (1),-

(i) For the words "Tribals belonging to Tiwa", the word "Scheduled Tribes" shall be substituted;

(ii) For figure,, brackets and word "20 (twenty)" the figure, brackets and word "25 (twenty five)" shall be substituted.

Amendment of Section 18

6. In the principal Act, in Section 18, in entry 24, after the word “Revenue” the following provision shall be inserted, namely:-

“Provided that no allotment or settlement of land shall be made in the Council Area without the recommendation of the Executive Council.”

Amendment of Section 63

7. In the principal Act, in Section 63, after sub-section (3), the following new sub-section (4) shall be inserted, namely:-

“(4) The General Council may prepare in each financial year a supplementary estimate providing for any modification of its budged for the year and may submit to the Government for approval.”

APPENDIX - 4

LIST OF VILLAGES INCLUDED IN THE CORE AREA OF THE TIWA AUTONOMOUS COUNCIL

MAYANG REVENUE CIRCLE

1. Sukatiputa
2. Gabhura Tup Pathar
3. Gabhura Tup Gaon
4. Temiherua
5. Baral Tup
6. Batahbari
7. Katahjari Gaon
8. Bangalpara
9. Garjan
10. Katahjari Pathar
11. Panikauri
12. Hariapar
13. Hariabori
14. Bebejia Habi
15. Bar Gamari
16. Bhalukaguri
17. Sarubori
18. Dibika
19. Raumari
20. Barukata
21. Kholagaon
22. Niz Gharua
23. Kasarigaon
24. Konwargaon
25. Kumoi Gaon
26. No Bangalbori
27. No Dungabori
28. Junbeel
29. Kharbeel
30. Hatiamukh
31. Bihita
32. Naldhara Nua Beel
33. Thakurduba
34. Bangfor
35. Udmari
36. Sindhisar PGR
37. Sindhisar Forest village
38. Raumari
39. Deusal
40. Nakhula Gaon
41. Pachim Nagaon
42. Nakhula Pahar
43. Garan Kushi
44. Gaonalia
45. Kumarkushi
46. Dhakali
47. Sonaikushi
48. Bangthaigaon
49. Ghagua Morigaon
50. Bahakabari
51. Gomariguri
52. Suta Gamariguri
53. Gagal Mari Pam
54. Satchapari Dalani
55. Laoukhuwabori

BHURAGAON REVENUE CIRCLE

56. Banmuri Gaon
57. Salmara Paam
58. Jamadari
59. Salmara Beel
60. Gerua Beel
61. Pookarkata
62. Gorapar
63. Amaraguri
64. Kamarbori
65. Haria Bil
66. Kanphali Toop

LAHARIGHAT REVENUE CIRCLE

67. Borongoni Pathar
68. Salsingabori
69. Laobhurunga
70. Dhupguri
71. Jengarbori
72. Batabari

MORIGAON REVENUE CIRCLE

73. Kaliajari
74. Dombaha
75. Dighalbari
76. Patidaya
77. Khatarbari
78. Bhurbandha
79. Bakharbari
80. Boalguri
81. Hagaltali
82. Ralipathar
83. Block No.
84. Kanphala Bori
85. Chamkata
86. Da Chikabari
87. Dhekiphala bari
88. Chutaikhal
89. Udari
90. Malputa
91. Bhangamur
92. Sisdhabari
93. Auguri
94. Katahguri
95. Bhairaguri
96. Konwargaon
97. Chakdharbari
98. Dopni
99. Saru Doani
100. Jarabari
101. Katalamara Bari
102. Pakamura
103. Bar-Manipur
104. Manipur No.
105. Manipur No.
106. Nowagaon
107. Buhagaon
108. Raina Pathar
109. Aujurigaon
110. Barunguri
111. Bahakajari Pathar
112. Baghara Pathar
113. Ulubari
114. Silsaku
115. Khukhanagog
116. Tetelia
117. Tetelia Pahar
118. Jerengabari
119. Kalbari
120. Gunamara No.
121. Bakari Chapari
122. Marakolong No.
123. Uabari
124. Dahuti Padum Pukhuri
125. Ajarbari
126. Meruagaon
127. Karaibari
128. Bardalpathar
129. Jurgaon
130. Hatihulunga
131. Chanuabari Dikchang
132. Chanuabari
133. Mikirbari
134. Karaiguri
135. Athubhanga
136. Damal
137. Charaihagi
138. Tengaguri
139. Salmari Mikir Gaon
140. Salmari
141. Losonabari
142. Banpara
143. Belguri
144. Lukakuchi
145. Patrabari
146. Dihukichamaka
147. Thekeraguri
148. Bihubari
149. Barbari Pathar
150. Mantabari
151. Uttar Dharamtul
152. Morakolong
153. Thekera
154. Amzari
155. Hatkhula
156. Barkhal
157. Palahguri
158. Dahuti Habi
159. Barpayak No.
160. Kumarbari
161. Amguri
162. Barpayak No.
163. Makaria
164. Dahali Makaria
165. Nizkhula
166. Banpara Darapani
167. Khulapathar
168. Kalbari (Silsang)
169. Gegera NC
170. Sanuabori Pathar
171. Borbori Pathar
172. Simaluguri
173. Simaluguri Pam
174. Singimari
175. Morakolong No.2
176. Buragaon Na-bheti (Ward no. 6) Morigaon

MIKIRBHETA REVENUE CIRCLE

177. Hakudangbori
178. Kahibari
179. Bhumuraguri
180. Majgaon
181. Niz-Mikirgaon
182. Kuji Satra
183. Boalguri
184. Ga-Khajua
185. Simaluguri
186. Haladhi Ati
187. Kahua Ati
188. Parali Guri
189. Barsila
190. Bar Hulung
191. Tup Gaon
192. Bar Manipur
193. Etakali Sabukdhara
194. Chari Punia
195. Ghumati Gaon
196. Bhakat Gaon
197. Sonaruguri
198. Paghali
199. Charaibahi Part
200. Dewabori Part

ROHA REVENUE CIRCLE

201. Jarabari Gaon
202. Alikuchi Gaon
203. Niz Barpujia
204. Matharbari
205. Bura Gaon
206. Puta Kolong
207. Chatarbori
208. Besapati
209. Tarabaritop
210. Bhakat Gaon
211. Khanajan
212. Balipara
213. Mulankata
214. Gandhibari
215. Kahiguri
216. Lathabori
217. Kujarbori
218. Phulaguri
219. Katah Guri
220. Ramjungati
221. Rupahitoli
222. Jajapukhuri
223. Tupakuchi
224. Kahar Gaon
225. Bagari Guri
226. Kahigarh
227. Chaobori
228. Kamgaon
229. Lawphulabari
230. Oarawat Bill
231. Sariyahtoli Mikir Gaon
232. Bamunijan
233. Hatbar
234. Dhowa Dalani
235. Pub Bula
236. Pachim Bula
237. Balichara Mikir Gaon
238. Mali Chara Dalani
239. Gera Garh Gaon
240. Niz-Sahari
241. Amsoi
242. Bura Raja
243. Daini Pukhuri
244. Balikuchi Gaon
245. Merago gram

NAGAON SADAR REVENUE CIRCLE

246. Niz Kachamari
247. Bamun gaon
248. Mahe Khosha
249. Pukhuri par
250. Bangthai
251. Jamuguri
252. Dimow

SONAPUR REVENUE CIRCLE

253. Murkatagaon
254. Kahikuchigaon
255. Topatoli Gaon
256. Topatoli NC
257. Nibira Gaon
258. Nibira NC
259. Bherakuchi Pathar
260. Dakhin Dimoria
261. Bherakuchi NC
262. Bherakuchi Gaon

LIST OF VILLAGES INCLUDED IN THE SATELLITE AREA OF TAC

1. Chota Kandoli Grant
2. Kamar Gaon
3. Dakhin Gamariati
4. Lalungpar(Lalung Gn.)
5. Kahalar-khat
6. Bar Kandoli Mikir Par
7. Jomarmur
8. Mahgarh
9. Pachim Kathiatoli
10. Teteliasora Grant
11. Pachim Nambar Lalung
12. Upar Barlalung Gaon
13. Kachari Gaon
14. Nambar Lalung Gaon
15. Mikir Gaon Bamuni
16. Ahom Gaon
17. Silphata No.1
18. Naharbari No.1
19. Nibukali
20. Bar Kachari Gaon
21. Bali Gaon
22. Bar Kandoli Gaon
23. Purani Kaki Lalung Gaon
24. Kaki Kachari Gaon
25. Kaobi Pathar
26. Dakhin Kandura
27. Ram Nagar
28. Ring Gaon
29. Rongmili
30. Jonabari
31. Borboha
32. Dumrihasi
33. Topa Huchi
34. Duri gaon
35. Jaipur
36. Pahartoli Kacharigaon
37. Srimanta Kacharigaon
38. Patrogaon
39. Jadu Pathar
40. Udmari
41. Bundura
42. Hati Phandi
43. Oja Gaon
44. Jajori
45. Kamargaom
46. Mortan Gaon
47. Morthan Pathar
48. Mandimari
49. Bor Amri
50. Saru mir
51. Jutuka
52. Niz-Jarabari
53. Darongi Gaon
54. Gurimari
55. Luri Gaon
56. Nartap Gaon
57. Nartap NC
58. Luri NC
59. Lafar Gaon
60. Dhemai Gaon
61. Dhemai NC
62. Moupur Gaon
63. Moupur NC
64. Luri Garden
65. Borkuchi Gaon
66. Borkuchi NC
67. Bhakuagog
68. Bhakuagog NC
69. Lofar NC
70. Kakar NC
71. NC
72. Killing NC
73. Uper Killing NC
74. Kolongpur NC
75. Bandargog NC
76. Lomati Gaon
77. Juboi Gaon
78. Ghagua gaon
79. Bamunkhat
80. Bamunkhat NC
81. Hahara Gaon

82. Hahara Pathar
83. Hahara NC
84. Bargog Gaon
85. Borgog NC
86. Bijeni Gaon
87. Gomariagrant
88. Gomaria Gaon
89. Gomaria NC
90. Mitani Gaon
91. Mitani NC
92. Tegheria No.2
93. Khaloibari Gaon
94. Bhogpur Gaon
95. Khaloibari NC
96. Ulubam Gaon
97. Bhogpur NC
98. Senabor Gaon
99. Tegheria NC
100.Helagog_
101.Rewa Gaon
102.|Rewa Pathar
103.Teteliguri
104.Teteliguri Pathar
105.|Lomsum Pathar
106.Tetelia Gaon
107.Tetelia Pathar
108.Khat Tetelia
109.Lomsum Gaon
110.Tetelia NC
111.Teteliguri NC
112.Lomsum NC
113.Rewa NC
114.Mitani Pathar
115.Khat Tetelia NC
116.Dikchak Gaon
117.Dikchak NC
118.Samota Pathar
119.Kendubam Bagicha
120.Tamhalang
121.Ulani
122.Marakola
123.Laflong: NC
124.Kamalajhari NC
125.Barkhat Gaon
126.Souaigaon
127.Sonai NC
128.Batakuchi
129.Markdola NC
130.Moirakuchi Gaon
131.Kamalajhari Gaon
132.Kamarkuchi NC
133.Tepechia Gaon
134.Kachia Gaon
135.Kamarkuchi Gaon
136.Uper Tepechia
137.Karchia NC
138.Tamulikuchi Gaon
139.Amber Gaon
140.Amber NC
141.Aparikola Gaon
142.Aparikola NC
143.Tamulikuchi NC
144.Sarutari Goan
145.Sarutari NC
146.Dhauguri Gaon
147.Sailekhaiti
148.Bijeni NC
149.Tegheria No.1
150.Bherakuchi NC
151.Laflong Gaon
152.Barkhat NC
153.Tepechia NC

ANNEXURE-1

Resolution adopted by the General Assembly on 13 September 2007

[without reference to a Main Committee (A/61/L.67 and Add.1)]

61/295. United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

Taking note of the recommendation of the Human Rights Council contained in its resolution 1/2 of 29 June 2006,[7] by which the Council adopted the text of the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling its resolution 61/178 of 20 December 2006, by which it decided to defer consideration of and action on the Declaration to allow time for further consultations thereon, and also decided to conclude its consideration before the end of the sixty-first session of the General Assembly, Adopts the United Nations Declaration on the Rights of Indigenous Peoples as contained in the annex to the present resolution.

107th plenary meeting

13 September 2007

Annex

United Nations Declaration

on the Rights of Indigenous Peoples

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and good faith in the fulfilment of the obligations assumed by States in accordance with the Charter,

Affirming that indigenous peoples are equal to all other peoples, while recognising the right of all peoples to be different, to consider themselves different, and to be respected as such,

Affirming also that all peoples contribute to the diversity and richness of civilisations and cultures, which constitute the common heritage of humankind,

Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

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[7] See Official Records of the General Assembly, Sixty-first Session, Supplement No. 53 (A/61/53), part one, chap. II, sect. A.

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonisation and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognising the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

Recognising also the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States,

Welcoming the fact that indigenous peoples are organising themselves for political, economic, social and cultural enhancement and in order to bring to an end all forms of discrimination and oppression wherever they occur,

Convinced that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

Recognising that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

Emphasising the contribution of the demilitarisation of the lands and territories of indigenous peoples to peace, economic and social progress and development, understanding and friendly relations among nations and peoples of the world,

Recognising in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

Considering that the rights affirmed in treaties, agreements and other constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights[8] and the International Covenant on Civil and Political Rights, as well as the Vienna Declaration and Programme of Action,[9] affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Bearing in mind that nothing in this Declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law,

Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

Emphasising that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,

Believing that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

Recognising and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognised in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

Recognising that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,

Solemnly proclaims the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognised in the Charter of the United Nations, the

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[8] See resolution 2200 A (XXI), annex.

[9] A/CONF.157/24 (Part I), chap. III.

Universal Declaration of Human Rights[10] and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
   (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

[10] Resolution 217 A (III).

(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

(c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

(d) Any form of forced assimilation or integration;

(e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

1. Indigenous peoples have the right to revitalise, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.
2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realisation of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognise and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.

2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognise and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilisation or exploitation of mineral, water or other resources.

3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.
2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.
2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

Article 38

States in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective

remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialised agencies of the United Nations system and other intergovernmental organisations shall contribute to the full realisation of the provisions of this Declaration through the mobilisation, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialised agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognised herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognised herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorising or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.
2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and

respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

ANNEXEURE - 2

MEMORANDUM OF SETTLEMENT

(RABHA ACCORD)

1. **Preamble**:

Government of Assam has been making earnest efforts to provide more powers to different tribal and ethnic groups within Assam so as to bring about speedy development in the areas inhabited by these groups. Towards this end, series of discussions were held with the leaders of different tribal groups, including Rabhas. As a result of these discussions it has been felt expedient to set up an administrative Authority for the areas predominantly inhabited by Rabhas, the details of which are as follows:

2. **Objectives**:

Objective of setting up the Administrative Authority is to provide maximum possible autonomy within the framework of Constitution of India for social, economic, educational, ethnic and cultural advancement of the Rabha people in this state.

3. **Rabha Hasong Autonomous Council (RHAC) and Rabha Hasong Village Council (RHVC):**

It is agreed that the State Govt. of Assam shall, by suitable legislation, constitute a Council which shall be known as Rabha Hasong Autonomous Council and which shall be the apex council consisting of satellite areas of Village Council, called the Rabha Hasong Village Council (RHVC). There shall be no separate compact areas or boundary for these councils. The RHVC shall be constituted with villages having more than 50% of the tribal population in the Rabha dominated areas with population of 6000-8000. The Land Record Authorities of Assam shall scrutinise the list of villages furnished for the purpose of inclusion of these villages in the RHVC. Those villages which fall under the Reserve Forest shall be included only after necessary clearance from the Ministry of Environment and Forest, Govt. of India.

4. **Constitution of Council**:

Each Village Council shall consist of 10 elected members out of which 5 will be from Rabha Community. Out of 5 reserved seats one will be reserved for a woman member. RHAC shall consist of 30 elected members out of which 4 members shall be nominated by the Government of Assam to give representation to those groups/communities of the Council area which are not otherwise represented in it. MPs and MLAs, belonging to reserved constituencies (ST) of the area shall be ex-

officio member of the Council. Each Village Council shall have elected President and Vice-President while the Autonomous Council shall have elected Chief Executive Councillor.

Term of office of the RHAC and RHVC shall be 5 years and co-terminus.

5. **Powers**:

(a) The RHVC shall have the executive power in respect of execution of development schemes on 29 subjects as listed in Annexure-I and the apex council shall have the power on 34 subjects as listed in Annexure-II. These powers will be subject to condition that the powers exercised by any other authority under the specific provision of law made by the Central/ State Government shall not be delegated/transferred to the authority of RHVC or RHAC. However, the provision of Assam Panchayat Act, 1994 and the Assam Municipal Act, 1994 (amended) shall not apply to the areas of the villages included in RHVC.

(b) Apex Council shall have the power to make by-laws/rules and orders which shall apply to all the RHVC.

(c) State Govt. shall provide funds from TSP and other resource to the apex Council in accordance with an appropriate formula to be worked out keeping in mind the resource of the Government priorities on development works in other areas including other tribal areas along with other relevant deciding factors. The RHVC shall have the powers to raise local resources that fall within their jurisdiction.

Finances of RHAC shall be managed exclusively by its Executive Council and will be subject to Audit as may be decided by the Government of Assam.

6. **Special Provisions for the RHAC**:

Views of RHAC shall be given due regard before any law is enacted by the State Government on religious/social practices, customary laws and procedures for ownership/transfer of land in the Council areas. However, the existing laws, unless amended, shall apply in these areas also, though the authority under such law may consider the views of the Council while exercising powers under these laws in these areas.

7. **Customary Courts**:

The state Government shall take steps to set up Customary Courts in the Council areas to try cases whenever both contesting parties prefer to approach such courts.

8. **Employment Opportunity**:

The people of the Council area shall have equal opportunity for employment in different Government jobs in accordance with the law in force for the time being.

9. **Constitution of Interim Council**:

The Government of Assam shall constitute an Interim Council which shall continue till the election to the Council takes place.

10. **Protection of Rights of non-tribals in Council area**:

The Government of Assam and the Council shall ensure that the rights and interest of the non-tribals and tribals other than Rabhas as on today living in the Council area particularly in the matters of land, industry, trade & commerce shall be protected.

Signed on this 10th day of March, 1995 in Guwahati.

1. Shri Sarat Chandra Rabha, President, RHAC (Sd/-)
2. Shri Ganga Raj Rabha, President, ARSU (Sd/-)
3. Shri Ratan Chandra Rabha, G/S, ARSU (Sd/-)
4. Shri Sulochan Rabha, G/S, RHDC (Sd/-)

ANNEXURE - 3

INTERIM REPORT OF

THE MINISTERIAL SUB COMMITTEE

ON

INCLUSION OF MISING, RABHA AND TIWA AUTONOMOUS COUNCILS IN TO THE SIXTH SCHEDULE OF THE CONSTITUTION OF INDIA

MEMBERS OF THE COMMITTEE:

1. Dr. Bhumidhar Barman — Chairman

Minister, Health & Higher Education, Assam

2. Shri Bharat Chandra Narah — Member , Convenor

Minister, WPT&BC, Parliamentary Affairs,

Water Resource etc., Assam.

3. Shri Anjan Dutta — Member

Minister, Transport and Industry etc.

Assam

4.Dr. Najrul Islam — Member

Minister, Food & Civil Supplies, Fisheries,

Assam.

5.Shri Ripun Bora — Member

Minister, Panchayat & Rural Development and

Elementary Education, Assam

GOVERNMENT OF ASSAM

DISPUR, GUWAHATI, ASSAM

MARCH, 2005

CHAPTER-IX

Recommendations

1. Part-X of the Constitution of India deals with the Scheduled and Tribal Areas. Article 244(1) of the Constitution of India relates to Administration of Scheduled Areas and Tribal Areas, which provides for Fifth Schedule of the Constitution. As per this Article, the provisions of Fifth schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State other than the States of Assam, Meghalaya, Mizoram, Tripura etc. Article 244(2) states that provisions of the Sixth Schedule shall apply to the administration of tribal areas in the States of Assam, Meghalaya, Mizoram, Tripura etc. Para I read with para 20 under Sixth schedule specifies the areas, which will be autonomous districts under the Sixth schedule. Initially the two hill districts of Assam namely-Karbi Anglong and North Cachar Hills were included under the Sixth schedule areas. Recently, the Bodoland Territorial Areas Districts (BTAD) have also been included in the Sixth schedule.

Therefore, it is clear that in Assam, the areas inhabited by plains tribes have been left out of purview of both Fifth and Sixth Schedule of the Constitution of India. Whereas the hills tribes of Assam, tribals of Meghalaya, Tripura and Mizoram are included in the Sixth schedule of the Constitution, tribal areas of the States other than North Eastern Region are generally included under the Fifth schedule of the Constitution. This has led to a great resentment amongst the plains tribes' communities of Assam as they have been deprived of the autonomy and other constitutional rights enjoyed by the scheduled tribes in other parts of the country.

After Bodoland Territorial Areas District have been brought under Sixth Schedule of the Constitution, the demand for autonomy by other plains tribes communities of Assam has been renewed. The Misings, the Lalungs (Tiwa) and the Rabhas have already been granted Autonomous Councils by the State Government under respective State Acts as was the case earlier with Bodos. After the BTAD having been granted Sixth Schedule status, there is perhaps no justification for not giving the same status to the other three autonomous Councils.

Under the above circumstances, the Govt. of Assam has already agreed, on principle that the three Autonomous Councils -Mising Autonomous Council, Rabha Hasong Autonomous Council and Tiwa Autonomous Council should be included in to the Sixth Schedule of the Constitution. The Hon'ble Chief Minister has also announced this at several places. Further, this stand of the Assam Govt. is recorded in the Minutes of the Meeting between Hon'ble Chief Minister and representatives of BTAD and ABSU leadership held on March 10, 2005(see Annexure).

But as the area of the three Autonomous Councils have not yet been concretely demarcated, as the matter requires amendment of the constitution (which is a lengthy process involving passing of a Bill in the Parliament) and alteration of certain administrative boundaries, we need more time for detail study of the demand before making any final recommendation. We wish to make a visit to Tripura and study the constitution and functioning of Tripura Tribal Areas Autonomous District Council (TTAADC) in detail. On the other hand developmental works cannot remain suspended and the democratic process must continue. It is a matter of grave concern that the three Autonomous Councils have been running on ad-hoc basis without elections being held since 1995.

Therefore, in this Interim Report, we make the following recommendations for establishment of democratically elected Councils; provide more autonomy to accelerate development works and to protect interest of the tribal communities as well as non tribals.

RECOMMENDATIONS:

1. The area of the Mising Autonomous Council, Tiwa (Lalung) Autonomous Council and the Rabha Hasong Autonomous Council should be notified immediately on the basis of Core Area and Satellite area. The Core Area and Satellite area are to be defined as follows:

a. **Core Area** shall consist of compact and contiguous areas predominantly inhabited by Mising/Rabha/Tiwa people, as the case may be, having more than 50% ST population as a whole in the area and not necessarily in individual villages.

b.**Satellite Area or Areas** shall consist of non-contiguous cluster of villages predominantly inhabited by Mising/Rabha/Tiwa people, as the case may be, having more than 50% ST population as a whole in the cluster and not necessarily in individual villages.

2. **Demarcation of Core Area and Satellite Areas**: The lists of villages submitted by various Mising/Rabha/Tiwa organisations were send to the Deputy Commissioners for

verifications and then the Assam Institute for Research on Tribals & SCs was asked to examine population Figures and curve out Core Area and Satellite Areas. The AIRTSC has submitted list of villages for the three Councils, which we recommend that the Govt. of Assam should immediately notify. The population pattern of the proposed Councils are as follows:

MISING AUTONOMOUS COUNCIL

Total Villages	1613
Total Population in the proposed MAC area	842672
ST population as per 2001 census	547235
ST% in MAC area	65%

RABHA HASONG AUTONOMOUS COUNCIL

Total Villages	779
Total Population in the proposed RHAC area	543192
ST population as per 2001 census	305856
ST% in RHAC area	56%

TIWA AUTONOMOUS COUNCIL

Total Villages	415
Total Population in the proposed TAC area	313387
ST population as per 2001 census	164399
ST% in TAC area	52%

We must mention that there is substantial Karbi population of Nagaon, Morigaon, and Kamrup district who live In close proximity with the Tiwa villages. The Karbi, which is a Schedule Tribe in the hill districts of Assam are hitherto not recognised as ST in the plains of Assam. Various Karbi organisations have submitted Memoranda to the sub-committee that all the plains of Karbi villages should be included into the Tiwa Autonomous Council and that the Karbis be recommended for recognition as ST. The Govt. of Assam has already agreed to recognition of the Karbis as ST in the plans and therefore, we recommend that the Karbi villages in Nagaon, Marigaon and Kamrup districts should be included in to the TAC

treating the Karbi population as tribal for all purposes including demarcation of the Core area and Satellite Area of the TAC.

In case of RHAC, we recommend InclusIon of Garo, Boro and Hajong Villages in to the RHAC. The Garo and Hajongs were not enumerated as ST in Census-2001 as they have been enlisted as ST only in 2003. There population has been counted as per report of the Deputy Commissioner.

There is no necessity of creating Satellite areas as the RHAC will remain confined to only southern parts of Goalpara and Kamrup districts only.

We recommend that on the basis of the report of the AIRTSC, the Core Areas and Satellite Areas of the MAC, RHAC and TAC should be immediately notified.

2. **Protection of rights of the non-tribal and other ethnic groups:**

The existing Acts of the three Councils provides following provisions for protection of the rights of the non-tribals and other ethnic groups:

"6.1 The General Council shall consist of 40 (forty) members of which 35 (thirty five) shall be directly elected and 5 (five) shall be nominated by the Government from amongst the groups or communities residing in the Council Area and not otherwise represented in the General Council."

"66. All rights and interest of me non-tribal citizens and other ethnic groups other than the Misings/Rabhas/Tiwas(Lalung) community within the council area as exist at the commencement of this act, in matters pertaining to their language, literature, culture, religion, customs and traditions, trade and commerce, industry, land etc. shall be protected."

We recommend that the above two sections should be retained in the Act.

Further, Clause 4.3 of the Memorandum of Settlement with the BLT states the following:

"4.3 Safeguards for the settlement rights, transfer and inheritance of property etc. of non-tribals will be suitably incorporated in para 3 of the Sixth Schedule. Anu such law as may be made by the BTC in this regard will not, in particular:

a) extinguish the rights and privileges enjoyed by any citizen of India in respect of his land at the commencement of the BTC, and

b) bar any citizen from acquiring land either by way of inheritance, allotment, settlement or by way of transfer if such citizen were eligible for such bonafide acquisition of land within BTC area."

We recommend that similar clause should be made applicable to MAC, RHAC and TAC.

4. While Development Blocks are the main unit for planning an execution of all rural development schemes, Revenue Circle is the main unit for Land Revenue administration. Administration becomes easier if these two units are made co-terminus.

We strongly recommend that the Development Blocks and Revenue Circles should be reconstituted to make them co-terminus and so that an entire Block or Circle falls within Council area where it is feasible. Further, it will be necessary to reconstitute certain Gaon Panchayat so that an entire Gaon Panchayat falls within the Council area.

5. **Equal status to Boro, Garo, Hajong and other tribes**: Clause 15 of the Memorandum of Settlement with BLT, 2003 states that -"*Government of Assam will consider Inclusion of all tribals including Bodos in RHAC/MAC/LAC in consultation with leaders of these Councils.*" Section 6.1 of the three Council Acts provides for reservation of 50% seats in the General Council only for Mising or Rabha or Tiwa, as the case may be, in the three respective Councils.

We recommend that such reservation should be for Scheduled Tribes category and not for Individual tribe. There should not be any differentiation or discrimination among the Scheduled Tribes in any Council area.

6. **Holding of Elections:** The Committee also noted, though the Autonomous Councils have been functioning for over almost eight years, the elected Councils are yet to come into existence. The administration of these Councils is being run by the Interim Councils, which was supposed to be very short-term measure. A number of Court cases have also been filed in these regard and Courts have given direction to Government of Assam to hold elections forthwith.

The Committee strongly recommends that the Government should hold elections to these Autonomous Councils immediately.

7. **Powers & Functions**: We have thoroughly studied the provision for power & functions of the three Autonomous Councils of Assam and the same in case of Darjeeling Gorkha Hills Council. We would like to recommend adoption of the Darjeeling Gorkha Hills Council model to provide maximum possible powers & functions for better and effective autonomy.

One of the critical problems of the tribals in Assam is land alienation. There is frequent allegation against violation of the provision of Tribal Belts and Blocks under Chapter-X of ALRR, 1886. Therefore, we strongly recommend that no allotment/settlement of land should be given in Council areas without the recommendation of the respective Autonomous Council. Necessary legislation should be enacted in this regard.

There are 34 subjects enlisted to be under the Autonomous Councils. But the mechanism for entrusting these subjects to the Councils is yet to be evolved. Therefore, we recommend that effective mechanism for entrusting these subjects to the Councils should be worked out immediately.

8. **Fund**: The Committee also observes that present system for release of funds for various developmental schemes to these autonomous councils is
not satisfactory. Small amount of fund is released by the concerned development departments and the councils have to pursue proposals for release of funds with each of the development departments.

The Committee recommends that as in the case of BTAD, all the funds to a particular Council should be released with 'Single Window' system from a single budget head, to be provided in the budget of the WPT & BC department.

9. We also recommend that the three Acts viz. MAC. Act, 1995; TAC Act, 1995 and RHAC Act, 1995 should be suitably amended in the current budget Session to incorporate the above recommendations and also to provide maximum powers & functions.

10. **Conclusion**: The Election Manifesto of Congress (I) Party for 2001 Assembly Elections had promised to protect the Tribal Belts & Blocks under Chapter-X of Assam Land Revenue Regulation, 1886 (Clause 23.A.a) and also to provide constitutional and administrative power to BAC, LAC, MAC and RHAC along with protection of the rights and security of the non-tribal (Clause 23.A.g). Already BAC has been converted into BTC under the Sixth Schedule and peace and progress have returned to the troubled Bodo areas. The above recommendations will be another bold step towards fulfillment of the promise made in the

Election Manifesto and will solve a long standing problem of the state and usher in an era of peace, harmony and prosperity.

Dr. Bhumidhar Barman,

Minister, Health & Higher Education,
Chairman, Ministerial Sub- Committee.

Shri Bharat Chandra Narah, Minister,
WPT&BC, Parliamentary Affairs,
Water Resource etc., Assam
Member , Convenor, Ministerial Sub-Committee

Shri Ripun Bora, Minister,
Panchayat & Rural Development and
Elementary Education, Assam.

Shri Anjan Dutta, Minister,
Transport and Industry etc.,Assam

Dr. Najrul Islam, Minister,
Food & Civil Supplies, Fisheries, Assam.

ANNEXURE - 4

SIXTH SCHEDULE

FOR THE MISING, RABHA & TIWA AUTONOMOUS COUNCILS ON THE LINES OF BTC.
FINAL DRAFT REPORT OF THE MINISTERIAL SUB-COMMITTEE

ON

INCLUSION OF MISING, RABHA & TIWA AUTONOMOUS COUNCILS

INTO THE SIXTH SCHEDULE

OF THE

CONSTITUTION OF INDIA

ON THE ISSUE OF GIVING SIXTH SCHEDULE STATUS TO MISING, TIWA & RABHA HASONG AUTONOMOUS COUNCIL HELD ON 24.05.2010 IN THE OFFICE CHAMBER OF HON'BLE MINISTER REVENUE, DM ETC. ASSAM.

Members Present:

1. Dr. B. Barman,
   Hon'ble Minister, Revenue, DM etc. – Chairman
2. Sri P. Majhi,
   Hon'ble Minister, Water Resources, Assam - Member
3. Sri B. Narah,
   Hon'ble Minister, Youth & Cultural Affairs, Assam - Member
4. Smt. Pramila Rani Brahma,
   Hon'ble Minister, WPT&BC - Member
5. Dr. H. B. Sarma,
   Hon'ble Minister, Health & Family Welfare, - Member
   Assam
6. Sri Chandan Brahma,
   Hon'ble Minister, P&RD etc., Assam -Member

Dr. B. Barman, Hon'ble Minister, Revenue & DM and Chairman of the Cabinet Sub-Committee on the issue of giving Sixth Schedule status to Autonomous Councils presided over the meeting. He initiated the discussion and requested other members present for deliberating suitable suggestion on the issue of giving Sixth Schedule status to Mising, Tiwa and Rabha Hasong Autonomous Councils.

1. After threadbare discussion, the committee has observed that the administration of justice among the different indigenous tribes and race in Assam is basically different from that in the rest of the country. There are different tribes with different culture, dialect, language, lifestyle, faith and belief, customary laws in the State of Assam where a special attention is to be attended for preservation and restoration of traditional art, culture, folk

dance, music, language and belief and custom. With an objective to provide local self-autonomy and to enable the plains tribes people to safeguard their ways of life, and to participate in the political life of the state and administration of their own areas and to develop themselves according to their own customs, traditions, system of justice, is the basic objectives for giving autonomous administration. Keeping in this view, the Cabinet Sub-Committee felt that the Plains tribal areas abnormally dominated by the communities of Mising, Tiwa and Rabhas and other indigenous tribes in the Mising Autonomous Councils, Tiwa Autonomous Councils & Rabha Autonomous Councils be included under the provision of Sixth Schedule of the Constitution of India.

The meeting after threadbare discussion, the Cabinet Sub-Committee has agreed to resolve that three autonomous councils Mising Autonomous Councils, Tiwa Autonomous Councils and Rabha Autonomous Councils be included in the Sixth Schedule of the Constitution of India and recommended this proposal to the Govt. for giving the Sixth Schedule status to these three Autonomous Councils.

2. The Committee has also resolved that the department of Plains Tribes and Backward Classes be directed to demarcate and prepare the villages, boundaries of the proposed Sixth Schedule areas where more than 50% of the indigenous tribes population are living, with the help of respective Deputy Commissioners after conducting proper survey of the proposed areas to be included in the Sixth Schedule of the councils.

3. It is also resolved that in the proposed Sixth Schedule areas the provision of elected body of the village councils be made in the three autonomous councils for effective implementation of development programmes etc. at the village level so that people of rural areas can participate in the process of development activities.

4. It is also resolved that in the proposed Sixth Schedule areas the provision of three tier local self elected body, (1) Village Councils like village panchayat at bottom, (2) Regional Council like Anchalik panchayat at intermediate and (3) Apex council at the top in the three Autonomous

Councils for effective implementation of development programmes etc. from the grass root level.

The meeting ended with vote of thanks to the Chair.

(Dr. B. Barman)

Chairman,

Cabinet Sub-Committee for giving Sixth Schedule

Status to Autonomous Councils

3.0.0 **FINAL RECOMMENDATION OF THE CABINET SUB-COMMITTEE**.

3.1.0 After studying the matter extensively and thoroughly, considering all pros and cons of the problem, the Cabinet Sub-Committee in this FINAL REPROT recommend to the Movement of Assam to initiate necessary action to take up the matter with Government of India to extend the provisions of modified 6th Scheduled to the Mising Autonomous Council (MAC), Rabha Hasong Autonomous Council (RHAC), Tiwa Autonomous Council (TAC) on the lines of the Bodo Territorial Council.

3.1.1 The Cabinet Sub-Committee also resolved to strongly recommend three tier elected body in the proposed Sixth Schedule Mising Autonomous Council (MAC), the Rabha Hasong Autonomous Council (RHAC) and the Tiwa Autonomous Council (TAC), i.e. Village Councils like Village Panchayat at the bottom level, Regional Councils like Anchalik Panchayat at intermediate level and Apex Council at the top level so that democratic participation is established from the very grass root level and developmental programmes are effectively implemented.

3.1.2 In this final report, the Cabinet Sub-Committee also resolved to recommend 3 (three) tier model for the Sixth schedule Councils of Dima Hasou, Karbi Anglong and BTC so that democratic participation is established from the grass root level and development programmes are effectively implemented in the existing Sixth Schedule Councils also.

3.1.3 We sincerely hope, that the recommendation of the Cabinet Sub-Committee on Inclusion of Mising, Rabha and Tiwa Autonomous Councils into the Sixth Schedule of the Constitution of India will solve a long standing ethnic problem of Assam and usher in an era of peace, harmony and prosperity.

3.1.4 The area of the respective VI schedule will be determined by the Govt. of Assam after due deliberation and in due course of time.

Dr. B. Barman, Minister, Revenue, DM. & Chairman, Cabinet Sub-Committee	Dr. H. B. Sarma, Minister, Health & Family Welfare, Assam
Sri Bharat Chandra Narah, Minister, Youth & Cultural Affaris, Assam	Sri Chandan Brahma, Minister, P&RD, Assam
Sri P. Majhi, Minister, Water Resources, Assam	Smt. Pramila Rani Brahma, Minister, WPT&BC, Assam

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